



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

SECOND APPEAL NO.448/2019

Shamrao Isal (deceased) through L.Rs. Prakash Shamrao Isal and others
...Versus...
Sau. Rajnibai Sumersingh Raghuwanshi and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders

Mr. D.S. Patil, A.A. Dhawas & Mr. P.P. Jaiswal, Advocates for appellants
Mr. Hitesh Biherani, Advocate for respondent Nos.1 to 6
Mr. J.J. Chandurkar, Advocate for respondent No.8
Mr. S.M. Vaishnav, Advocate for respondent No.9

CORAM : ROHIT W. JOSHI, J.
DATE : 24/11/2025

1. The present second appeal was dismissed against the respondent No.7 on account of failure on the part of the appellants to serve the said respondent.
2. Application for restoration of second appeal against the respondent No.7 came to be filed vide Civil Application (CAS) No.977/2025. Notice was ordered to be issued in the said application vide order dated 03/10/2025. However, notice is ordered to be issued to all the respondents/non-applicants. Notice will have to be issued only to respondent/non-applicant No.7.
3. In view of the above, order dated 03/10/2025 is modified by directing issuance of notice to respondent/non-applicant No.7.
4. Issue fresh notice to respondent/non-applicant No.7, returnable on 19/12/2025 by speed post, in addition to regular mode of service.

5. Hamdast granted.
6. Appellants to file affidavit of service before the returnable date.

(ROHIT W. JOSHI, J.)

Wadkar