

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY*****CIVIL APPELLATE JURISDICTION*****CIVIL APPLICATION NO. 131 OF 2016****IN****SECOND APPEAL NO. 162 OF 2014****Dattatraya Balbhim Bandgar****..... Applicant****VERSUS****Nalu Dattatraya Bandgar****..... Respondent**

Mr. Tejesh Dande, i/b. Tejesh Dande & Associates for the Applicant.

Mr. Prashant D. Sankpal for the Respondent.

**CORAM : R.D. DHANUKA, J.****DATED : 29<sup>th</sup> JANUARY, 2016****P.C.**

By this civil application, the applicant seeks condonation of delay in filing civil application and seeks recall of the order dated 28<sup>th</sup> November, 2014 passed by this court dismissing the second appeal in view of the non-compliance of the conditional order passed by this court.

2. For the reasons recorded in the civil application, civil application is made absolute in terms of prayer clauses (a) and (b) on the condition that the applicant files private paper book within two weeks from today. It is made clear that if the private paper book is not filed within two weeks from today, the order passed today to stand vacated without further reference to court and the order dated 28<sup>th</sup> November, 2014 passed by this court to stand restored. No order as to costs.

**[R.D. DHANUKA, J.]**