

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL REVISION APPLICATION NO.592 OF 2015
IN
SECOND APPEAL NO.419 OF 1993**

Mr. Dattatray Chaodo Kulkarni Applicant
Vs. (Ori. Appellant)

Assistant Registrar Respondent
 Certified Copy Branch,
 High Court (A.S.), Mumbai

In the matter between

Mr. Dattatray Chaodo Kulkarni & Ors. Appellants
Vs.
Revansidha Mallikarjun Dudhagikar Respondent

Mr. Bhushan U. Deshmukh, Advocate for the Applicant.
Ms. Neha Bhide, AGP for the Respondent.

Coram : **Smt. R.P. SondurBaldota, J.**
Date : 12th August, 2016

P.C.

1 This Civil Revision Application seeks quashing of the order passed by the Assistant Registrar on 13th July, 2015 and for a direction to the office to supply certified copies of the entire proceedings or whatever record available with the office in Second

Appeal no.419 of 1993. By the letter dtd. 13th July, 2015, the Assistant Registrar, Certified Copy Branch has informed the petitioner that the original proceedings are not available on record. What is on file is the final order, which is the permanent record to be maintained and an ordinary copy of the memo of appeal. The office has informed that the copy of the memo of appeal available in the proceedings cannot be certified since the copy is not attested as True Copy by Advocate. Mr. Deshmukh, the learned advocate for the applicant submits that whatever is the document available on record, the certified copy thereof should be directed to be given to the applicant. The communication dtd. 13th July, 2015 is more than clear. The office has informed that there are no original proceedings. Ms. Bhide, the learned AGP appearing for the respondent states that the record being of the year 1993, the same has been destroyed and only permanent record is maintained. With the official destruction of the record, there cannot be any complaint as regards non-availability of the proceedings further. The office has rightly communicated to the applicant that the ordinary copy of memo of appeal lying in the proceedings cannot be certified. Hence, the Civil Revision Application is dismissed.

(Smt. R.P. SondurBaldota, J.)