

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

**CIVIL APPLICATION NO.416 OF 2017
IN
SECOND APEPAL NO.98 OF 2014**

Shri Prabhakar Laxman Surve ... Applicant/Appellant
Versus

Smt. Vithabai Parasu Belose
And Others ... Respondents

Mr. B.R. Deshmukh for the Applicant/Appellant.
Mr. Sumit Kate i/b U.P. Warunjikar for Respondent Nos.1 to 8.

CORAM : S.C.GUPTE, J.

DATE : 14 MARCH 2017

P.C. :

Heard learned Counsel for the parties.

2 This civil application seeks recall of the self operative dismissal order dated 23 October 2015 on account of not filing of a private paper book. Learned Counsel for the Applicant/Appellant informs the Court that his paper book is ready and that he will file the same during the course of the day.

3 For the reasons stated in the application, the self operative dismissal
order is recalled and set aside and the second appeal is restored to file
alongwith the interim order passed on Civil Application No.1408 of 2013.

4 Civil Application is disposed of accordingly.

5 On the application of both parties, considering the age of the Appellant, who is more than 70 years old, hearing of the second appeal is expedited.

(S.C. GUPTE, J.)