

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

**CIVIL APPLICATION NO.414 OF 2017
IN
SECOND APPEAL NO.734 OF 2014**

Soma Ganapati Hanmannawar ...Applicant

vs.

Shri. Basappa Satyappa Jadi & Anr. ...Respondents

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Mr. S.S. Patwardhan, for the Applicant.

Mr. G.N. Salunke, for Respondent Nos.1 and 2.

.....

CORAM : S.C. GUPTE, J.

DATED : 17 MARCH 2017

P.C. :

. Heard learned Counsel for the parties.

2. This Civil Application seeks recall of a self-operative dismissal order passed by this Court on 20 October 2015 for failure to file a private paper book. There is a delay in taking out the present Civil Application. The delay is explained in the Civil Application. Order dated 20 October 2015 is recalled and set aside and the Second Appeal along with Civil Application No.1710 of 2014 is restored to file along with ad-interim order passed therein on 20 October 2015 read with the order dated 2 September 2016. The Court is informed that, in pursuance of the order dated 2 September 2016, the Court Commissioner has filed its report. The Respondents to the Civil Application shall be entitled to file

their response within two weeks. Rejoinder, if any, within one week thereafter. Civil Application No.1710 of 2014 to come up for orders on 7 April 2017. Office shall make available to Advocates for both parties the copies of the Commissioner's report. Civil Application No.414 of 2017 is disposed of accordingly. The paper book to be filed within a period of one week.

(S.C. GUPTE, J.)