

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO. 909 OF 2016**

Mr. Vijay Devappa Shetty and Ors. ... Appellants / Applicants

Versus

Mr. Devappa Shina Shetty ... Respondent

**ALONG WITH
CIVIL APPLICATION NO. 1845 OF 2016
WITH
CIVIL APPLICATION (ST) NO. 26095 OF 2017**

Mr. Ram Singh a/w. Mr. Brijesh Mishra for the Appellants / Applicants.
Ms. Geetanjali Dutta for Respondent.

CORAM : S.J. KATHAWALLA, J.
DATED : 1ST NOVEMBER, 2017

P.C.:

1. The above Second Appeal was dismissed by an order dated 23rd August, 2017. Before the order could be signed and uploaded, the Appellants / Applicants filed the above Civil Application stating that certain facts have allegedly been suppressed from this Court by the Respondent. Since the order dated 23rd August, 2017 dismissing the Second Appeal is not signed till date, the same is recalled without going into the issue of alleged suppression and the Second Appeal shall be heard afresh on merits.

2. Place the above Second Appeal before the regular Court for Admission on

6th November, 2017 along with Civil Application No.1845 of 2016 . In view of this order, Civil Application No.1619 of 2017 is disposed off as infructuous.

(S.J.KATHAWALLA, J.)