

VPH

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION No. 1205 OF 2018
IN
SECOND APPEAL No. 464 OF 2015

Rajshekhar Shivgonda Patil ... Applicant / Appellant
Vs.
Jayashri Malewadi & Anr. ... Respondents

Mr. Samir Kumbhakoni, for the Applicant / Appellant.

CORAM : A. M. DHAVALA, J.
DATE : SEPTEMBER 18, 2018

PC :-

1. The second appeal was initially dismissed while on stamp number for non-removal of office objection, subsequently, it was restored. On 23th January, 2018 notices were directed to be issued to the respondents. But notices could not be issued for want of copies of appeal memo & the documents. Several times, the matter was adjourned and ultimately, Registrar (Judicial-II) by a conditional order has dismissed the appeal on 28.3.2018.
2. Now, the learned advocate for the Appellant is ready

to provide the copies immediately. Copies of appeal memo and documents tendered by the learned advocate for the Applicant are taken on record. Considering the facts, order dated 28.3.2018 is recalled and the appeal is restored to the file, subject to applicant paying costs of Rs.3,000/- to Kirtikar Library, Mumbai. Civil application is accordingly disposed of.

2. On payment of costs by the applicant, issue notice to the respondents, R/o. 30.10.2018.

Sd/-
[A. M. DHAVAL, J.]

Vinayak Halemath