

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

**CIVIL APPLICATION (ST) NO.19096 OF 2018
IN
FIRST APPEAL NO.441 OF 2008**

Vishnu Dattatray Mote .. Applicant

IN THE MATTER BETWEEN

Dattatray Shankar Mote & Ors. .. Appellants

V/s.

Madhukar Hari Mote and Ors. .. Respondents

Ms.Yasmeen Ansari i/b Mr.Neelesh Vasant Kalantri for the Applicant

**CORAM: K.K. TATED &
B. P. COLABAWALLA, JJ.**

DATED : JULY 24, 2018

P.C. :

1 Advocate for the Applicant filed praecipe dated 24.07.2018 for fixing early date of hearing. She submits that it remained on their part to file private paper book within stipulated time as directed by this court and hence First Appeal stands dismissed. Therefore, they preferred the present Civil Application.

2 Considering these facts, following order is passed:

a) Applicant to remove all office objections in Civil Application and serve entire proceeding on other side by private notice either by Registered Post A/d and/or by hand delivery and file affidavit of service to that effect on or before 04.08.2018, failing which the Civil Application shall stand dismissed without further reference to the court.

b) If affidavit of service is filed within stipulated time as stated hereinabove, Registry is directed to place the matter on board on 07.08.2018.

(B. P. COLABAWALLA, J.)

(K.K. TATED, J.)