

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

**CIVIL APPLICATION NO.3651 OF 2019
IN
FIRST APPEAL NO.681 OF 2011**

Kamal Prasad Jain .. Applicant/Appellant

Vs.

Laxman Rambhau Mankar .. Respondent

Mr.Abhijit P. Kulkarni for the applicant/appellant.

Mr.S.M. Railkar for the respondent.

CORAM : R.D.DHANUKA, J.

DATE : 22nd November 2019

P.C.:

. The applicant seeks recall of the order dated 18th April 2011 passed by this Court thereby dismissing the appeal for not filing the private paper book within one year from the date of the said order. There is delay of 7 years 25 days in filing the civil application. Delay is opposed by the learned counsel for the respondent on the ground that there is substantial delay in filing the civil application.

2. In paragraphs 6 to 10 of the civil application, the applicant has explained the delay. Mr.Kulkarni, learned counsel for the applicant undertakes to file private paper book within two weeks from today and to serve a copy thereof upon the respondent's advocate simultaneously.

3. Civil application is made absolute in terms of prayer clauses (b) to (e). No order as to costs. It is made clear that no further extension

of time would be granted to file private paper book. If the private paper book is not filed within the time prescribed, the order passed by this Court today to stand vacated without further reference to the Court.

R.D.DHANUKA, J.