

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 3310 OF 2018
IN
FIRST APPEAL NO. 496 OF 2013

Mohan Parashuram Bendrikar & Anr. Applicants

VERSUS

Smt.Ujwala Sambhaji Wagh & Ors. Respondents

Ms.Aakanksha Halaskar, i/b. Mr.Ashutosh M. Kulkarni for the Applicants.

Mr.Nikhil Mehta, i/b. M/s.KMC Legal Venture for the Respondent no.2.

CORAM : R.D. DHANUKA, J.

DATE : 26th FEBRUARY, 2020

P.C.

By this civil application, the applicants seek condonation of delay in filing civil application, for recall of the order dated 6th March,2014 passed by this court dismissing the First Appeal on the ground of non-compliance of the conditional order by not filing private paper book.

2. Heard learned counsel for the parties. The reasons for delay and not filing private paper book within the time prescribed are sufficiently recorded in paragraphs 6 and 7 of the civil application. Learned counsel for the applicants undertakes to file private paper book within four weeks from today. Undertaking is accepted.

3. It is made clear that no further extension of time would be granted. If the private paper book is not filed within the time

prescribed, the order passed by this court to stand vacated without further reference to court and if filed, a copy thereof shall be served upon the respondent no.2 within two weeks from the date of filing such paper book.

4. Civil application is made absolute in terms of prayer clauses (a) to (d1) subject to aforesaid condition. No order as to costs.

[R.D.DHANUKA, J.]