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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 965 OF 2017

M/s. Alpha Organics

.. Petitioner

Vs.

Hon'ble Registrar General
of the Hon'ble High Court
of Judicature at Bombay & Ors.

.. Respondents

None for the Petitioner.

Mr. R. S. Datar a/w Mr. Akshay Kandarkar for Respondent Nos.1
& 2.

CORAM: PRADEEP NANDRAJOG, CJ. &
SMT. BHARATI DANGRE, J.

JANUARY 06, 2020

P.C.

1. The Writ Petitioner was a Defendant in Special Civil Suit No. 180 of 1992 filed against it by the Bank of India. The Suit was decreed on 27.09.2000 against which the Petitioner filed an Appeal. The said Appeal was assigned to the District and Sessions Judge, District Court, Shivaji Nagar, Pune and could not

be decided on account of the file of of Special Civil Suit No.180 of 1992 not being traceable.

2. Prayer made in the Writ Petition is to direct the Registrar General of this Court as also the District and Sessions Judge, Pune, to locate the record of Special Civil Suit No. 180 of 1992 decided on 27.09.2000 or in the alternative to direct the Appeal filed by the Petitioner to be heard sans summoning the record.

3. Unfortunately the record of the Suit is still not traceable.

4. Thus, the Writ Petition is disposed of directing the Court which is seized of the Appeal against the Judgment and Decree dated 27.09.2000 to re-create the record of the Suit and thereafter decide the Appeal.

SMT. BHARATI DANGRE, J.

CHIEF JUSTICE

Pravin D.
Pandit

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by Pravin D.
Pandit
Date: 2020.01.06
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