

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 2426 OF 2022
IN
FIRST APPEAL NO. 776 OF 2017

Shabbir Mahamad Shaikh (Deceased) .. Applicants
through L.R.S. Abedabanu Shabbir
Shaikh and Ors.

Versus

Jijabai Dadaso Ravi @ Parit and Ors. .. Respondents

...

Ms. Krati Garg a/w Kavita Vijapure for the applicants.

CORAM : BHARATI DANGRE, J.

DATED : 19th APRIL, 2022

P.C:-

1. By the present application, the applicant/appellant seeks restoration of the first appeal which came to be dismissed on account of non filing of the private paper book, within a period of one year in terms of the direction issued by this Court on 07.08.2019, when the appeal came to be admitted.

Heard the learned counsel for the applicant and the perused the application.

On 07.08.2019, the private paper books was directed to be filed within one year, as a precondition, in absence of which the

appeal was liable to be dismissed. The application proceed to state that in the wave of covid pandemic, the paper book could not be filed during the period of lock down. In any case, the Appellant submit that the private paper book is ready and will be filed within two weeks from today.

2. Subject to complying with the said undertaking, the dismissal of the appeal is set aside. First Appeal No. 776 of 2017 is restored to the file.

3. The appellant shall file private paper book within a period of two weeks from today.

(SMT. BHARATI DANGRE, J.)