

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**908 CIVIL APPLICATION NO.2556 OF 2023
IN FA/3495/2019**

**VIJAY UTTAMRAO KAPDE
VERSUS
SHAIKH GULAM NABI GULAM AHMED AND ORS**

...
Advocate for Applicant : Mr. A. R. Lukne h/f.
Mr. Shelke Avishkar S.
Advocate for Respondent No.3 : Mr. R. H.Dahat
...

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 28.02.2023

PER COURT :

Heard rival submissions. The applicant is seeking recalling of order dated 18.03.2021 whereby First appeal against respondent No.2 was dismissed for want of steps. The learned counsel undertakes to serve respondent No.2 by taking diligent steps. However, certain cost needs to be imposed upon the applicant for his negligent conduct.

2. In view of the above, the application stands allowed in terms of prayer clauses('B' and 'C') subject to cost of Rs. 500/- to be paid to the Advocate Associations' Bar Library, High Court, Aurangabad.

**(SANDIPKUMAR C. MORE)
JUDGE**

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shp/-