

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

951 CIVIL APPLICATION NO.4775 OF 2020
IN SECOND APPEAL NO.287 OF 2011

NAMDEO SANDUJI BHIVSANE
VERSUS
SHAHDEO MADHAV SHENDGE

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Advocate for the applicant : Mr.G.V.Wani
Advocate for the respondent : Mr.S.G.Shinde

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CORAM : ARUN R. PEDNEKER, J.

DATE : 16.06.2023

P.C. :

1] The present Civil Application is filed to recall the order dated 24th August, 2018 to the extent of dismissing the Second Appeal on account of non-submission of paper book, by condoning the delay of 207 days in filing the present Civil Application.

2] For the reasons stated in the Civil Application, the same is allowed. Delay is condoned. The order dated 24th August, 2018 is recalled on the condition that the applicant – appellant shall submit appeal paper book within a period of four [4] weeks from today.

3] In the event, the applicant – appellant fails to submit appeal paper book within aforesaid period, the order dated 24th August, 2018 will stand restored.

4] Accordingly, Civil Application is disposed of.

[ARUN R. PEDNEKER]
JUDGE

DDC