

Arjun

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.823 OF 2018
IN
SECOND APPEAL NO.261 OF 1995**

Sadashiv Bhimrao Kalekar ...Applicants
(Since deceased through his LR's.)
1. Mahadeo Sadashiv Kalekar & Anr.

V/s.

Pratap Rajaram Kalekar & Ors. ...Respondents

Mr. Akshay Kulkarni i/b Ashutosh M. Kulkarni, for the
Applicants/Appellants.

Mr. Onkar Mane i/b Satyajeet Shirke, for Respondent
Nos.1 to 3.

**CORAM : MADHAV J. JAMDAR, J.
DATED : JULY 17, 2023**

P.C.:

1. This Civil Application is taken out to recall the order dated 17th November, 2014 passed by a learned Single Judge of this Court and to restore the Second Appeal along with Civil Application.

2. The Second Appeal is already admitted by order dated 8th June, 1995. By said order dated 17th November, 2014, the Second Appeal was dismissed as abated.

3. For the reasons set out in the Civil Application, the same is allowed in terms of prayer clauses (a), (b) and (c).

4. The Civil Application is disposed of in view of the above terms with no order as to costs.

[MADHAV J. JAMDAR, J.]