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

**INTERIM APPLICATION NO.2623 OF 2020
[FOR RESTORATION]**

IN

**CIVIL APPLICATION (ST) NO.4973 OF 2016
[REJECTED CASE NO.1288 OF 2018]**

IN

SECOND APPEAL NO.565 OF 2010

Vitthal Mahadev Bhuimbar & Anr. ...Applicants

In the matter between :

Vitthal Mahadev Bhuimbar & Anr. ...Appellants

V/s.

Arjun Baburao Redekar & Ors. ...Respondents

Mr. Omkar Nagvekar i/b P. R. Arjunwadkar, for the
Applicants.

Mr. Chetan Patil i/b M. G. Bagkar, for Respondent No.1.

**CORAM : MADHAV J. JAMDAR, J.
DATED : JULY 05, 2023**

P.C.:

1. Heard Mr. Nagvekar, learned counsel appearing for the
Applicants and Mr. Patil, learned counsel appearing for
Respondent No.1.

2. Learned counsel appearing for the Applicants states

that all the Respondents are served.

3. By order dated 28th November, 2013, a learned Single Judge admitted the Second Appeal by framing the substantial questions of law and passed conditional order of filing the paper book within one year and for non-compliance of the same, the Second Appeal was dismissed.

4. Mr. Patil, learned counsel appearing for Respondent No.1 strongly opposes the Interim Application.

5. However, for the reasons set out in the Interim Application the same is allowed in terms of prayer clauses (a) and (b).

6. The Applicants to file paper book within a period of one year.

7. Needless to clarify that as a result of the restoration of the Second Appeal, the stay order which was operating during the pendency of the Second Appeal stands restored.

8. The Interim Application is disposed of in above terms with no order as to costs.

[MADHAV J. JAMDAR, J.]