

Arjun

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.2447 OF 2020

IN

R.C. NO.2312 OF 2019

[SECOND APPEAL (ST) NO.13876 OF 2018]

Satish S/o Bhagwandas Lodha & Ors. ...Applicants

V/s.

Kisanlal Fatechand Lodha ...Respondents

Since deceased through LR's.

1A. Mrs. Sunita Prakash Abad & Ors.

Mr. M. V. Thorat, for the Applicants.

Mr. A. A. Valsangkar i/b Mr. Samir Kumbhakoni, for the
Respondent Nos. 2 & 3.

CORAM : MADHAV J. JAMDAR, J.

DATE : 31st JANUARY, 2023

P.C.:

1. In this Interim Application, the prayer is made to recall order dated 4th December, 2018 passed by learned Registrar (Judicial-II) in the Second Appeal (St) No.13876 of 2018.

2. By said order dated 4th December, 2018, four weeks time (excluding Christmas Vacation) was granted to remove office objections, failing which, registration of the Second Appeal was refused.

3. For the reasons set out in the Interim Application, the

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same is allowed in terms of prayer clauses (a) and (b).

4. It appears that, the papers of Second Appeal are not traceable and it is likely that papers are destroyed as per Rule 3-A under Chapter XV of the Bombay High Court Appellate Side Rules, 1960.

5. The Applicants are granted leave to reconstruct the papers of Second Appeal. Let such reconstruction be done within a period of two weeks from today.

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

(MADHAV J. JAMDAR, J.)