

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.48 OF 2023

IN

REJECTED CASE NO.10 OF 2020

Gokul Vishram Rumade (Since
Decd, thr. Lrs.) Anuradha Gokul Rumade ...Applicant

Versus

Mr. Santosh Ramchandra Rumade ...Respondent

Mr. Pramod Pawar for the Applicant.

CORAM: SHARMILA U. DESHMUKH, J.

DATED: 22nd FEBRUARY, 2024.

P. C.:

1. Interim application has been filed seeking recall of order dated 17/9/2019 dismissing the Civil Application for non service upon the sole respondent.
2. Office noting indicates that Court notice has been served on the sole respondent. Today none appears for respondent.
3. It is pleaded in the application that applicant expired on 29th March 2019 and the legal heirs were unaware of the details of the advocate

through whom the present Second Appeal was filed. It is further pleaded that in the month of May' 2020 the applicants came to know the phone number of the advocate and contacted him pursuant to which details were given to the Advocate for filing the application. It is pleaded that in the meantime due to Corona Pandemic the present application could not be filed

4. Considering the reasons set out in the Application, delay of 2 years 6 months and 10 days has been sufficiently explained in the Interim Application.

5. For the reasons stated in the Application, delay is condoned and Interim Application is restored to file.

6. List Second Appeal on **8th March 2024** under the caption "For Admission".

(SHARMILA U. DESHMUKH, J.)