



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL WRIT PETITION NO. 16899 OF 2024

Mrs. Sheela Arun More

...Petitioner

vs.

Shri Prakash Ramkrishna Vanarase and Ors.

...Respondents

Mr. Shantanu M. Sharma	Advocate for the Petitioner
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CORAM : S. M. MODAK, J.

DATE : 21st NOVEMBER 2024

P.C. :-

1. Not on board. The matter is taken on board by way of Praecipe moved by the Petitioner.
2. Read the Order passed by the First Appellate Court in Reg. Civil Appeal No. 155 of 2017 dated 18.09.2024. Alongwith Praecipe this is only paper attached.
3. On reading it, what transpires is execution of the decree was stayed by the first Appellate Court for two months. The reason quoted, 'some time was required for obtaining certified copy of the judgment and decree'. In fact the present Petitioner ought to have filed second

appeal. If certified copy of the judgment was not supplied to him by the Administration of the Appellate Court, he could have requested the Registry of this Court for grant of time to file certified copy. That second appeal could have been kept under office objection.

4. In this Writ Petition, the Petitioner is challenging the Order dated 09.09.2024 passed by the Appellate Court. In the praecipe mentions, it is same Order by which the appeal is dismissed.

5. In fact the writ petition is not maintainable. The Petitioner can avail the remedy of the second appeal.

6. With these observations, writ petition is dismissed.

[S. M. MODAK, J.]