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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 9709 OF 2024
WITH
INTERIM APPLICATION NO. 2873 OF 2019
WITH
INTERIM APPLICATION NO. 9707 OF 2024
WITH
INTERIM APPLICATION NO. 9708 OF 2024
IN
SECOND APPEAL NO. 906 OF 2017

Suresh Sitaram Pednekar ... Appellant/Applicant

Vs.

Dattaram Yashwant Pednekar ... Respondent

WITH
INTERIM APPLICATION NO. 2873 OF 2019
IN
SECOND APPEAL NO. 906 OF 2017

Shri Arvind Sitaram Pednekar ... Applicant

Vs.

Dattaram Yashwant Pednekar ... Respondent

Mr. Sanskar Marathe for the Applicant.

Mr. Vikas V. Warekar i/b. Warerkar & Warerkar for Respondent No. 4C
and 5.

CORAM : GAURI GODSE, J.

DATE : 16th AUGUST 2024

ORDER :

1. By order dated 28th June 2024, learned counsel for the applicant was permitted to take inspection of the papers and to take appropriate steps with regard to the order of dismissal with respect to some of the unserved respondents.
2. Today, when the matter was called out, none appeared for the applicant.
3. Interim Application is dismissed in default.

[GAURI GODSE, J.]

4. Learned Advocate for the applicant mentioned the matter in the afternoon session. He submits that he was unable to reach in time in the first session. He requests that the order dismissing the application be recalled and the Second Appeal be restored.
5. He further submits that he has already filed Interim Applications for taking steps to serve the unserved respondents. He further submits that he has intimated the learned Advocate who appeared for respondent no. 4 regarding this mentioning. In view of the aforesaid

the earlier order dismissing the application is recalled and the application is restored.

6. List the Second Appeal along with Interim Application Nos. 9709 of 2024, 9707 of 2024, 9708 of 2024, 16409 of 2024 and 16412 of 2024. To be listed under the caption for “Urgent Orders” on 14th October 2024.

7. Learned counsel for the applicant to intimate this order to the learned Advocate who had appeared for respondent no. 4.

[GAURI GODSE, J.]