

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 13330 OF 2024.

IN

FIRST APPEAL NO. 2248 OF 2011.

Jayashree Narayan Sarfare

...Appellant.

Versus

Deepak Dhondu Patil And Ors

...Respondents.

Mr. Hemant Ghadigaonkar for the Applicant.

Mr. Prasad B. Kulkarni i/by Dipak Mane for the Respondent.

Coram : Sharmila U. Deshmukh, J.

Date : October 4, 2024.

P. C. :

1. Interim Application has been preferred seeking recall of the order dated 29th August 2024, dismissing the appeal for non prosecution.
2. Learned Counsel appearing for the Applicant submits that when the matter was called out on the said date the Advocate on record was held up in some other matter and therefore could not attend the Court. As the default is attributed to the Advocate, the litigant should not suffer.
3. Interim Application is allowed.
4. The order dated 29th August 2024, is recalled. First Appeal is restored to file.

5. First Appeal is already admitted. To come up for final hearing as per its own turn. Paper-book is already on the record.

[Sharmila U. Deshmukh, J.]