

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 624 OF 2000

Pramod Ramrao Worlikar (Since Deceased)

Through legal heirs;

Mrs. Asha Pramod Worlikar and Ors.

... Appellants

Versus

Vijaya Rangnath Worlikar and Ors.

... Respondents

.....

None for the Appellant.

Mr. R.A. Shaikh a/w Ms. Swati Morgi, for the Respondent No.2.

.....

CORAM : PRITHVIRAJ K. CHAVAN, J.

DATED : 3rd AUGUST, 2023.

P.C.

On 8th November, 2019 this Court (Coram:R.D. Dhanuka,
the then Chief Justice) has passed the following order:

“P.C.

The matter was called twice when none
appeared for the applicants. First appeal is
dismissed for default.

2 In view of dismissal of the first appeal,
none of the civil applications survives and are
accordingly dismissed. No order as to costs.”

2 Subsequently, on 17th February, 2020 the order was recalled.

The said order reads thus:

REKHA
PRAKASH
PATIL

Digitally signed
by REKHA
PRAKASH PATIL
Date: 2023.08.04
17:46:03 +0530

Rekha Patil

“P.C.

Heard learned counsel for the parties. The applicant seeks recall of the order dated 8th December, 2019 passed by this court thereby dismissing the first appeal as well as civil application for default.

2. The reasons for condonation of delay and for remaining absent before this court are explained in paragraphs (4) and (5) of the interim application sufficiently. Interim application is accordingly made absolute in terms of prayer clauses(a) and (b). There shall be no order as to costs.

3. Place first appeal on board for hearing and final disposal on **4th March, 2020**. It is made clear that no adjournment would be granted on any application if made by the appellants.”

3 Despite repeated calls none for the appellants.

4 In the light of the order passed on 17th February, 2020, the First Appeal stands dismissed in default.

[PRITHVIRAJ K. CHAVAN, J.]