

MJ Jadhav

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 2670 OF 2025
/IN
SECOND APPEAL(ST) NO. 35359 OF 2015**

Shabir Imam Kalot and Ors. ... Applicants

vs.

Bashir Usman Raut and Ors. ... Respondents

Mr. Dattatray H. Pawar for the Applicants.

Mr. Bhushan Jadhav i/b Mandar Bagkar for Respondent No.2B.

CORAM : GAURI GODSE, J.

DATED : 25th FEBRUARY 2025

ORDER:

1. Learned counsel for the appellants seeks leave to convert the second appeal into appeal from order. The impugned order refusing to re-admit the first appeal would be appealable under clause (t) of Rule I Order 43 of Code of Civil Procedure. Hence, the applicants are permitted to convert the second appeal into appeal from order.
2. Amendment to be carried out in the appeal as well as in the delay condonation application within four weeks from today.
3. After amendment is carried out, office is directed to convert the second appeal into appeal from order and list it under the caption 'for fresh admission'.

(GAURI GODSE, J.)

Note : This is the corrected Order as per speaking to minutes order dated 17th March 2025