

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.3551 OF 2024
IN

SECOND APPEAL NO.779 OF 2012

Tanubai Ganpat Undre Since Deceased & Ors.

...Applicants

Versus

Eknath Sadu Undre & Ors.

...Respondents

Mr. Vaibhav R. Gaikwad a/w Ms. Pradnya C. Solanki, for the Applicants.

Ms. Neeta Patil i/b S. R. Nargolkar, for the Respondent Nos.1, 2, 18, 24, 25 and 31 to 43.

CORAM: MADHAV J. JAMDAR, J.

DATED: 21st JULY 2025

P.C.:

- 1.** This Interim Application is taken out seeking recall of the order dated 5th March, 2024 passed by a learned Single Judge dismissing Second Appeal No.779 of 2012 for non-prosecution. Learned Counsel appearing for the Respondents strongly opposed the Application.
- 2.** However, for the reasons set out in the Interim Application, the same is allowed in terms of prayer clause (a). Accordingly, the Second Appeal No.779 of 2012 is restored to the file of this Court.
- 3.** The Second Appeal No.779 of 2012 be listed on final hearing board commencing from 11th August, 2025.

[MADHAV J. JAMDAR, J.]