

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 13921 OF 2024.

IN

FIRST APPEAL NO. 1798 OF 2013.

Mohan Mahadev Suryavanshi and Others

...Applicants

Versus

Sanjay Jagannath Keni

...Respondent.

Ms. Rekha Kasar i/b Pashte Kishor Gangaram for Applicant.

Coram : Sharmila U. Deshmukh, J.

Date : 13th February, 2025.

P. C. :

1. Interim Application has been preferred seeking recall of order dated 1st July, 2024 passed by this Court dismissing the Appeal for non-prosecution as the concerned Advocate was unable to proceed with the Appeal, which is of 2013.
2. Learned counsel appearing for Applicant submits that the erstwhile Advocate did not prosecute the matter and litigant cannot be made to suffer due to default on the part of Advocate and seeks recall of order dated 1st July, 2024 and for condonation of delay of 18 days caused in preferring the Application.
3. For the reasons stated in the Application, order dated 1st July,

2024 is recalled.

4. The Appeal is restored to file.

[Sharmila U. Deshmukh, J.]