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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 16209 OF 2024
IN
SECOND APPEAL NO. 705 OF 2002

Shankar Vitthal Chavan
deceased

.....Applicant

Vs.

Shankar Krishna Chavan

.....Respondent

Mr. Venkatesh Shastry Advocate for the Applicant

Mr. Abhinandan B. Vagyani i/b Mr. Manoj Patil for respondent no. 1

CORAM : GAURI GODSE, J.

DATE : 13th FEBRUARY 2025

ORDER:

1. Though circulation was granted in Interim Application No. 16209 of 2024, office has not placed on record copy of the interim application. Office remark states that the matter is under search.
2. Learned counsel for the appellant submits that interim application is e-filed.
3. Learned Assistant Registrar of the second appeal department to

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submit an explanation as to why the printout of the interim application is not placed on record and why the copy is not shared on the drive.

4. I find it necessary to record that on earlier occasions, directions are issued to place printout of the e-filed applications in old second appeals to save Court's time. It is a common experience of this Court that in old matters which are not e-filed, interim applications which are e-filed are neither shared on the drive nor the printouts are placed on record.

5. Office is directed to place these papers before learned Registrar (Judicial-I) for making necessary inquiry as to why directions repeatedly issued to the second appeal department are not complied with.

6. Learned advocate for the appellant informs that the second appeal is on weekly final hearing board at serial no. 284.

7. Hence, office to submit an explanation as why the papers of the second appeal though listed on weekly final hearing board, are not placed before the Court alongwith the application.

8. Report to be submitted before this Court within two weeks.

9. Learned counsel for the applicant has tendered the copy of the interim application. The application is taken on record.
10. I have perused the application. The heirs and legal representatives are represented through advocate.
11. In the facts and circumstances of the case, the delay is condoned and the application is allowed in terms of prayer clause (a).
12. Amendment to be carried out within two weeks.
13. List the second appeal on 6th March 2025. To be listed on daily board.

[GAURI GODSE, J.]