

MJ Jadhav

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO. 174 OF 2025
WITH
INTERIM APPLICATION NO. 2837 OF 2025
IN
SECOND APPEAL NO. 174 OF 2025**

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Shrishail Yallappa Kure ... Appellant/Applicant

vs.

Malsiddha Gangadhar Mendgudale ... Respondent

Dr. Uday Warunjikar a/w Sakshi Inamdar and Gargi Warunjikar for
the Appellant/Applicant.

Mr. R. S. Alange for the Respondent.

CORAM : GAURI GODSE, J.

DATED : 3rd MARCH 2025

ORDER:

1. Second Appeal No. 174 of 2025 is listed on board. However, office has shared the soft copy of the Second Appeal No.174 of 2024.
2. Learned counsel for the appellant has tendered hard copy of the second appeal, which is taken on record.
3. Learned counsel for the appellant seeks leave to convert the second appeal into appeal from order. Leave granted.

4. Amendment to be carried out within two weeks from today. 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 on 26th March 2025.

5. Learned counsel for the appellant submits that the trial Court is insisting on proceeding with the suit. He submits that if further proceedings are not stayed, it is likely that there will be an order of “No WS” against the appellant. Hence, the appellant is at liberty to file application for adjournment for seeking a date beyond 26th March 2025.

6. Learned counsel for the respondent who had filed a caveat submits that the respondent intends to change advocate. He submits that respondent's son is present in the Court and he shall take necessary step to engage another advocate before the next date.

(GAURI GODSE, J.)