

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 2054 OF 2025
IN
FIRST APPEAL NO. 1046 OF 1997

Kishoresingh Gangasingh Chowhan ...Applicant/Appellant.

Versus

Chatralsingh and Others ...Respondents.

Ms. Manisha Prajapati i/b Mr. Dhiren H. Shah for Applicant.
Mr. Shanay Bafna for Respondent No. 5.

Coram : Sharmila U. Deshmukh, J.

Date : 11th March, 2025.

P. C. :

1. Interim Application has been preferred seeking recall of order dated 31st January, 2025 dismissing the Appeal as the Advocate appearing for Appellant was unable to proceed with the matter of 1997.
2. Learned counsel appearing for Applicant submits that as arguing Counsel was unavailable, the matter could not be proceeded with and therefore, came to be dismissed for non-prosecution.
3. The order of 31st January, 2025 is recalled subject to payment of cost of Rs. 2,500/- to the Kirtikar Law Library.

4. The First Appeal is restored to file subject to condition of payment of cost.
5. List the First Appeal on the 'Final Hearing Board' of **25th April, 2025.**

[Sharmila U. Deshmukh, J.]