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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.3375 OF 2025
IN
FIRST APPEAL NO.1293 OF 2013
WITH
FIRST APPEAL NO.1293 OF 2013**

Prabhavati Shantaram Kadam & Ors.

....Applicants

V/s.

Kalpana Kisan Jadhav

....Respondent

Mr. A. S. Kapse for the applicants.

Mr. Rajesh B. Parab for the respondent.

CORAM : JITENDRA JAIN, J.

DATED : 22 September 2025

P.C. :

1. Although there is no prayer for condonation of delay and there is a note on the cause list that the application for restoration is filed within stipulated period, learned counsel for the original plaintiff states that there is delay of 5 to 6 days.

2. I have considered the objection and assuming there is a delay, it is a minor delay of 5 to 6 days and therefore, no prejudice will be caused if the delay is condoned.

3. The interim application is taken out for restoration of the appeal which was dismissed for non-prosecution. On reading of paragraphs 8 to 10 of the application, I being satisfied and the order dismissing the appeal for non-prosecution is recalled and the appeal is restored to file.

4. Interim application is disposed of.
5. List this matter in due course.

(JITENDRA JAIN, J.)