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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 7167 OF 2025.

IN

FIRST APPEAL NO. 1308 OF 2022.

Shri. Baban Vithal More

...Applicant.

Versus

M/S. Riddhi Tours And Travels (Prop. Rajesh
Chandrakant Pawar) And Anr.

...Respondents.

Mr. Sandeep Mishra, for the Applicant.

Coram : Sharmila U. Deshmukh, J.

Date : April 15, 2025.

P. C. :

1. Interim Application has been preferred seeking recall of the conditional Order dated 21st August 2022, passed by the Registrar (Judicial-II) by which registration of the First Appeal qua Respondent No.1, came to be rejected and for condonation of delay of 217 days caused in preferring the application.
2. Learned counsel appearing for the Applicant submits that due to oversight on the part of the Advocate's office, steps could not be taken against the unserved Respondent No.1 within time. He submits that the default is on part of the Advocate's office for which the litigant should not suffer.
3. For the reasons stated in the application, the delay of 217 days is

condoned.

4. The conditional order dated 21st August 2023 is recalled.
5. The First Appeal qua the Respondent No.1, is restored to file.
6. Learned counsel for the Applicant submits that within a period of 4 weeks from today necessary steps will be taken for effecting service upon the Respondent No.1.
7. Stand over to **10th June 2025**.

[Sharmila U. Deshmukh, J.]