

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

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**INTERIM APPLICATION NO. 9273 OF 2025
IN
FIRST APPEAL NO. 358 OF 2016**

Mr. Jaywant Ramchandra Kini

....Appellant/Applicant

Versus

Mrs. Anusaya Harishchandra Mhatre & Ors.

....Respondents

Mr. Vasant Dhawan i/by M/s. Shroff & Co. for the Appellant/Applicant.

CORAM : JITENDRA JAIN, J.

DATED : 14th October 2025

PC. :

1. This application is made for restoration of First Appeal No.358 of 2016 along with Civil Application No.1659 of 2015.
2. On 28th August, 2024 the First Appeal along with Civil Application was dismissed for self-operative order, since the Appellant did not supply copies and pay printing charges, though sufficient time was granted.
3. Although reason is not satisfactory, since it was the duty of the Advocate to furnish copies for service, in the interest of justice, First Appeal No. 358 of 2016 along with Civil Application No. 1659 of 2015 is restored, subject of payment of cost of Rs.3,000/- to each of the Respondents. The cost should be paid within four weeks from today. If the cost is not paid to the Respondent, then the present restoration order will stand vacated.
4. Interim Application is disposed of.

(JITENDRA JAIN, J.)