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

**INTERIM APPLICATION NO. 9455 OF 2025
IN
COMMERCIAL FIRST APPEAL NO. 2 OF 2022
WITH
INTERIM APPLICATION NO. 9479 OF 2025**

Bhagwan Dnyanu Thorat .. Applicant

In the matter between:

Bhagwan Dnyanu Thorat .. Appellant

Versus

M/s. B. G. Shirke Constructions
Pvt. Ltd. & Ors. .. Respondents

Ms. Ketki Gadkari a/w Pradeep Salgar for applicant.
Adv. Vyoma Joshi i/by Crawford Bayley & Co. for respondent
no.1.

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**CORAM: ALOK ARADHE, CJ. &
SANDEEP V. MARNE, J.**

DATE: 8th JULY, 2025

P.C.:

IA/9455/2025:

1. For the reasons assigned in the Interim Application, duly supported by an affidavit, we find that sufficient ground is made out for condonation of delay in filing the application and to recall the order dated 25th October, 2024. Accordingly, delay in filing the present application is condoned and order dated 25th is recalled. The Commercial First Appeal No. 2 of 2022 is restored to file qua respondent no.2.

2. Interim Application stands disposed of accordingly.

COMFA/2/2022:

3. Issue notice to respondent no.2, returnable on **26th August, 2025.**

IA/9479/2025:

4. This is an application seeking substitution of service upon the respondent no.2 by an advertisement in newspaper in local area of city of Pune.

5. For the reasons assigned in the application, duly supported by an affidavit, the Interim Application is allowed. Let notice to respondent no.2 be published in the newspapers, namely, Times of India and Lokmat, published from Pune. Learned counsel for the applicant/appellant undertakes to submit copies of aforesaid newspapers to the Registry on or before the next date.

6. Interim Application stands disposed of accordingly.

(SANDEEP V. MARNE, J.)

(CHIEF JUSTICE)