IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 1616 OF 2026
IN
SECOND APPEAL (ST.) NO. 1679 OF 2025

Yuvraj Maruti Vagare & Anr. … Applicants

Versus

Anil Dattatray Patil (Since deceased) … Respondents
Through LRs
Smt. Laxmi Anil @ Ananda Patil & Ors.

- *Mr. Giridhar S. Koli for the Applicants.*
- *Mr. Gajanan M. Savagave a/w. Mr. Adarsh Patil i/b. Mr. Prashant Suryawanshi for the Respondent Nos.1A to 1C & 2.*
- *Mr. Umesh H. Pawar for the Respondent Nos.8 to 11.*

Coram : ASHWIN D. BHOBE, J.

Date : 8th October 2026.

PER COURT :

1. Not on board. Upon mentioning, taken on board.

2. This Application is circulated pursuant to the praecipe dated 8th October 2026. The same is taken on record and marked "X" for identification.

3. Heard Mr. Giridhar Koli, learned Advocate for the Applicants, Mr. Gajanan Savagave, learned Advocate for Respondent Nos. 1A to 1C & 2 and

Mr. Umesh Pawar, learned Advocate for Respondent Nos. 8 to 11.

4. By the present Application, the Applicant has sought the following relief:

> "a] This Hon'ble Court be pleased to recall and / or set aside the order dated 14.8.2026 passed by the this Hon'ble Court in Second Appeal [St.] No. 1679 of 2025."

5. Mr. Giridhar Koli, learned Advocate for the Applicants, states that it was on account of an error on the part of the Advocate-on-Record that the spare copy, as was required to be furnished in the Registry in terms of the order dated 14th August 2026, remained to be furnished. He submits that the spare copy would be furnished on or before 12th October 2026 to enable service upon the Respondents who are not appearing. This request is not opposed by Mr. Gajanan Savagave, learned Advocate for Respondent Nos. 1A to 1C & 2 and Mr. Umesh Pawar, learned Advocate for Respondent Nos. 8 to 11.

6. In view of the statement made by Mr. Giridhar Koli, learned Advocate for the Applicants, that the error was on the part of the Advocate, the order dismissing Interim Application Nos. 1168, 1169 and 1170 of 2025 is recalled.

7. The time to furnish the spare copy in terms of the order dated 14th August 2026 is extended till 12th October 2026.

8. It is now clarified that if the spare copies are not furnished within the extended period, the order dated 14th August 2026 shall stand restored and the proceedings shall stand dismissed.

9. The Interim Application No. 1616 of 2026 is allowed in aforesaid terms.

[ASHWIN D. BHOBE, J.]

OMKAR SHIVAHAR KUMBHAKARN

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Date: 2026.10.08 19:44:23 +0530