

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 65 OF 2026
IN
APPEAL FROM ORDER NO. 559 OF 2023

MR. MALLINATH KADAPPA HANJI
VERSUS
MRS. JYOSTHNA MALLINATH HANJI

Advocate for Applicant : Ms. Aarya V. Ambulkar a/w Ms. Varsha
Thorat, i/b Mr. Prashant P. Raul
Advocate for Respondents : Mr. Anoop Patil
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CORAM : SACHIN S. DESHMUKH, J.

Date : 17th April, 2026

PER COURT :-

1. This Interim Application is presented seeking to recall the order dated 22.12.2025 of dismissal of Appeal in default passed in Appeal from Order No. 559 of 2023 and to restore the said Appeal to its original file.

2. The learned counsel for the applicant submits that the in view of transfer of this proceeding from Principal Seat to this Bench, the applicant could not undertake steps, which resulted in dismissal. Accordingly, prays that the application be allowed.

3. The learned counsel for the Respondent opposes the application and seeks its dismissal.

4. Having considered the reasons stated in the application and in the interest of justice, I find it appropriate to restore the Appeal to its original status to allow for adjudication on merits.

5. Consequently, the Interim Application is allowed in terms of prayer clause (a). Appeal from Order No. 559 of 2023 is hereby restored to its original status.

(SACHIN S. DESHMUKH, J.)

Omkar Joshi