

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CIVIL APPELLATE JURISDICTION**  
**WRIT PETITION NO. 17186 OF 2025**

Jayant Maniklal Lunawat

..Petitioner

**Versus**

Anil Nemichand Bafna Since Dec Through LRs  
and Ors

...Respondents

Mr. Pradeep Thorat, with Sonali Aggarwal and S. Relekar, i/b Dhruve  
Liladhar and Co, for the Petitioner.

Mr. Shanay Shah, i/b Jayesh Mestry, for Respondent Nos. 6A, 6C (a)  
to (c), 6D, 6E, 6F, 7B to 7F, 8, 9, 13, 14A to 14D, 15 to 20, 21A  
to 21C and 22.

**CORAM: N. J. JAMADAR, J.**

**DATE : 20<sup>th</sup> JANUARY 2026**

**P.C.:**

1. Heard the learned Counsel for the Petitioner.
2. The Petitioner-Respondent No.18 and the Appellants in RCA No. 632 of 2015 entered into consent terms (Exhibit 84-Exhibit M1 to the Petition). A prayer was made that the consent decree be passed in the said Appeal in accordance with the said consent terms. However, by an order dated 26<sup>th</sup> August 2022, the learned District Judge disposed the Appeal as withdrawn unconditionally against all Respondents.
3. The Petitioner made an effort to seek recall of the said order, by filing Applications under Section 152 of the Code of Civil Procedure,

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1908. However, the Applications were purportedly disposed with the remarks 'no jurisdiction', on e-filing portal

4. The learned Counsel for the Petitioner invites attention of the Court to the last of the Applications (Exhibit "W" to the Petition) wherein a prayer is made to recall the order dated 26<sup>th</sup> August 2022 passed by the learned District Judge.

5. The question whether an Application for recall of the said order dated 26<sup>th</sup> August 2022 is tenable will be required to be determined by the learned District Judge .

6. The Petition thus stands disposed with a direction to register, and hear and decide the MCA in Regular First Appeal No. 632 of 2015 (Exhibit "W", page 388 to the Petition), in accordance with law.

[N. J. JAMADAR, J.]