



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

MIC. CIVIL APPLICATION NO.508 OF 2025
IN
CIVIL REVISION APPLICATION NO.38 OF 2025 (D)

Sanesh D Gaikwad **Vs.** Kiran D. Somkuwar and ors.

*Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order*

Court's or Judge's Order

Mr. A. M. Sudame, Advocate for applicant.

Mr. S. S. Kalbande, Advocate for respondent No.1.

CORAM : ROHIT W. JOSHI, J.

DATE : 24.03.2026.

. The applicants had filed Second Appeal No.278 of 2024 in order to challenge judgment and order dated 18.04.2024 passed by the learned District Judge-7, Nagpur in Regular Civil Appeal No.148 of 2021. The said appeal arises out of a probate proceeding. The second appeal came up for hearing before this Court on 03.04.2025. This Court found that Second Appeal was not maintainable and accordingly granted permission to convert the Second Appeal into a Civil Revision Application.

2. Two weeks time was granted to the appellant/applicant to file memo of Civil Revision Application.

3. The applicant accordingly filed a memo of Civil Revision Application, which came to be registered as Civil Revision Application No.38 of 2025.

4. In view of the order dated 03.04.2025, Second Appeal No.278 of 2024 came to be registered as Civil Revision Application No.39 of 2025.

5. Thus, due to confusion, two Civil Revision Applications came to be registered in order to challenge the same judgment and order. As a consequence of this, the applicant made a motion to this Court seeking permission to withdraw the Civil Revision Application No.39 of 2025, which was allowed to be withdrawn vide order dated 25.07.2025. Since Civil Revision Application No.39 of 2025 is withdrawn, the learned advocate for respondent No.1 raises an objection that the present Civil Revision Application bearing No.38 of 2025 is not maintainable. The objection is technical in nature and also misconceived. The same is rejected.

6. List Civil Revision Application No.38 of 2025 on **15.04.2026.**

7. Parties are put to notice that the revision may be heard finally at the stage of admission.

(ROHIT W. JOSHI, J.)

Ταπημα...