



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 3396 OF 2026
IN
SECOND APPEAL (ST) NO. 1757 OF 2020

Lalit Narsingmal Jain

...Applicant/
Appellant

Versus

State Bank of India, Branch Roha And Ors.

...Respondents

Mr. Kaustubh Kandpile, for the Applicant.

CORAM : SHARMILA U. DESHMUKH, J.

DATE : May 08, 2026

P. C. :

1. Interim application has been preferred seeking recall of the order dated 23rd December, 2025, dismissing the petition for non-prosecution. The order of 23rd December, 2025 records that there was no appearance on behalf of the Appellant on 23rd December, 2025 as well as on the previous occasion, and hence, the Appeal was dismissed for non-prosecution.

2. Learned counsel for the Applicant submits that the mediation process was ongoing and now it is failed. It is therefore evident that



only after the mediation process has failed, that the Appellant has approached this Court for the purpose of restoring the Second Appeal which came to be dismissed for non-prosecution on 23rd December, 2025. The order of 23rd December, 2025 cannot be recalled without cost, considering the negligence of the Appellant in not even bothering to inform the Court about the mediation process ongoing.

3. In light of the above, the order of 23rd December, 2025 is recalled and the Second Appeal is restored to file, subject to payment of cost of Rs. 10,000/- to be paid to the Kirtikar Law Library.

4. Stand over **18th June, 2026** under the caption for 'admission'.

[SHARMILA U. DESHMUKH, J.]