

VRJ

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

INTERIM APPLICATION NO.12673 OF 2023
WITH
INTERIM APPLICATION (ST.) NO.82 OF 2026
IN
SECOND APPEAL NO.690 OF 2014

Shakerabanu Afsar Patel
Through Her Constituted Attorney
Nasir Nuruddin Patel ... Applicant

In the matter between

Parshuram Gundu Taral
Through Constituted Attorney
Sanjay Parsu Koli (Taral) ... Appellant

V/s.

Sudhir Baburao Terwadkar
Since Deceased Through Heirs and LRs ... Respondents

Mr. Q. H. Kudle i/by S. G. Kudle for the applicant.

Mr. Giridhar S. Koli i/by Mr. Prasad S. Kale for the
appellant.

Mr. Gajanan M. Savagave for the respondents.

CORAM : MRS. VRUSHALI V. JOSHI, J.

DATED : JANUARY 22, 2026

P.C.:

INTERIM APPLICATION NO.12673 OF 2023

1. The applicant has filed the present application seeking recall of the consent decree dated 10th July 2017 passed in the Second Appeal, which came to be disposed of in the year 2017.

2. Learned counsel appearing for the applicant contends that the consent decree was passed without impleading the applicant as a party and that the same was obtained behind his back by playing fraud. Hence, the present application for recall of the consent decree passed by this Court in the Second Appeal.
3. Learned counsel appearing for the respondents raised an objection, contending that the present application has not been filed within the prescribed period of limitation, as the applicant has approached this Court after a lapse of seven years.
4. Learned counsel for the applicant seeks liberty to file an application for condonation of delay.
5. Liberty, as prayed for, is granted.
6. The applicant is at liberty to file a fresh application for condonation of delay along with the present application.
7. Stand over to **12th February 2026**.

(MRS. VRUSHALI V. JOSHI, J.)