

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 14823 OF 2013
IN RC/1120/2013

BABU BALIRAM PATAIET
VERSUS
RAJABHAU BHASKAR PATAIET

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Advocate for Applicant : Shri S.S.Dixit h/f Shri A.N.Nagargoje
Advocate for Respondents : Shri K.N.Farooqui h/f Shri N.I. Jadhav

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CORAM : RAVINDRA V. GHUGE, J.
Dated: April 10, 2015
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PER COURT :-

1. Shri N.I.Jadhav, learned Advocate appears on behalf of the respondent.
2. Civil Application No. 9248 of 2012 was dismissed in default by the order of the Court dated 20.9.2013. Reasons in support of the prayers are set out in the application. There is a delay of 30 days.
3. Learned Advocate for the respondent opposes the application on the ground that the explanation is not satisfactory.
4. For the reasons stated, Civil Application is allowed. Delay of 30 days is condoned, subject to costs of Rs.500/-. Learned Advocate for respondents graciously submits that the amount be donated to Advocates Association's Bar Library, High Court, Aurangabad. As such, the costs be deposited with Advocates Association's Bar Library, High Court, Aurangabad, within two weeks from today. Pursuant thereto, Civil Application No.9248 of 2012 shall stand restored and the Second Appeal shall be restored only on the Stamp No. 17897 of 2012, since Civil Application No.9248 of 2012 is for condonation of delay in filing the Second Appeal. So also Civil Application No. 9249 of 2012 stands restored. Order of this Court dated 20.9.2013 is, therefore, recalled.

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5. Needless to state, in the event of non-compliance, this order shall stand recalled and the Civil Application shall stand rejected.

(RAVINDRA V. GHUGE, J.)

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