

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

CIVIL REVISION APPLICATION NO.9 OF 2014

(M/s. Bhai Dada Musa ..vs.. Vilas s/o Madhukar Gundawar)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri Mahalle, Advocate h/f. Shri R.L. Khapre for the applicant,
Shri M.P. Khajanchi, Advocate for the non-applicant.

CORAM : Z.A. HAQ, J.

DATED : 07-1-2015

The civil revision application is filed challenging the order passed by the District Court condoning the delay of about eighteen months. The learned District Judge has considered the matter in the right perspective. Moreover, the learned District Judge has imposed the costs of Rs.5000/- on the non-applicant for the lapse on his part.

2. The learned Advocate for the applicant has relied on the judgment given by the Hon'ble Supreme Court in the case of *Esha Bhattacharjee .vs. Managing Committee of Raghunathpur Nafar Academy and others* reported in *2013(11) Scale 418* and has submitted that the reasons given by the applicant in the application filed before the District Court praying for condonation of delay cannot be said to be "sufficient cause" and therefore, the impugned order is unsustainable in law. Considering the facts of the

present case, in my view, the judgment relied upon by the learned Advocate for the applicant is not of any assistance to the applicant.

3. The impugned order does not require any interference. The revision application is dismissed. In the circumstances, the parties to bear their own costs.

JUDGE

pma