

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 723 OF 2004
IN
SECOND APPEAL NO. 334 OF 1996**

Ganpat Laxman Bhabgare

...APPLICANT

versus

Kisan Laxman Bhangare Since deceased
Through L.Rs. and others

...RESPONDENTS

.....
Mr. S.T. Shelke, Advocate for applicant
Mr. V.S. Bedre, Advocate for respondents No. 1A to 1F
.....

CORAM : SUNIL P. DESHMUKH, J.

DATED : 8th JANUARY, 2016.

Order :-

1. There is delay of 2088 days in filing civil application for restoration of second appeal to its position as had been subsisting before passing of order dated 11-12-1997. While the order of dismissing the second appeal for non prosecution is dated 11-12-1997, application had not been filed for restoration of the matter till the order has taken its effect and after about delay of 2088 days present application has been filed. The application does not spell out plausible reasons for such a delay.

2. In the circumstances, the application does not deserve any consideration. As such, the application stands dismissed.

Sd/-

(SUNIL P. DESHMUKH, J.)

MTK