

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

Civil Application (CAO) No.39 of 2016
Along with
Misc. Civil Application Stamp No.154 of 2016
In
Second Appeal No.167 of 2008 (D)
(Maroti s/o Parashramji Satone v. Gulab s/o Parashramji Satone)

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

Shri M.R. Johrapurkar, Advocate for Applicant/Respondent-
Plaintiff.

Shri P.J. Wankhede, Advocate for Non-Applicant/Appellant-
Defendant.

Coram : R.K. Deshpande, J.

Date : 15th March, 2016

This civil application is for condonation of 292 days of delay caused in filing an application for review of the judgment dated 13th and 16th February, 2015 passed by this Court in Second Appeal No.167 of 2008.

Notice was issued to the non-applicant on the condonation of delay and also on the misc. civil application for review of the judgment.

The original appellant-defendant is served, and Shri P.J. Wankhede, the learned counsel, appears for him.

After hearing the parties, this Court had passed an order on 5-2-2016 as under :

“ The learned counsel appearing for the applicant volunteers to pay the costs of Rs.5000/- to the High Court Bar Association, Nagpur, for the reason that when the matter was decided, none represented the applicant-respondent, within a period of one week.

Hence, put up this matter for hearing on merits on 12.02.2016.”

The parties were put on the notice that since none represented the applicant-original respondent at the time when the judgment was delivered, the matter shall be heard on the merits of the second appeal, and the matter was accordingly adjourned on two occasions.

After going through the averments made in Civil Application (CAO) No.39 of 2016, which remained uncontroverted, I am satisfied that a sufficient cause is made out for condonation of delay caused in filing an application for review.

Hence, Civil Application (CAO) No.39 of 2016 is allowed. The delay caused is condoned.

The civil application is disposed of.

Judge.

Lanjewar