

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Civil Application [CAO] No. 309 of 2015
IN
Misc. Civil Appln. St. No. 1691 of 2015
IN
Second Appeal No. 245 of 2012
[Mohd. Musthaque Mohd. Ismile (Diwanji) && another Vs. Mohd. Shafique Mohd. Sadique & others]

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

Court's or Judge's orders

Mr. Amit Khare, Adv., for the appellants.
None for the respondents, though served.

CORAM : A.B. CHAUDHARI, J.

DATE : 21st March, 2016

This is an application for condonation of delay of 153 days in filing the application for restoration of Second Appeal No. 245 of 2012, which was dismissed in default on 28th July, 2014.

Heard learned counsel for the appellants. None for the respondents, though served.

Accepting the reasons furnished in the application to be sufficient and satisfactory, the application is allowed and delay is condoned.

M.C.A. St. No. 1691 of 2015 :

This is an application for restoration of the Second Appeal No. 245 of 2012, which was dismissed in default on 28th July, 2014.

Accepting the reasons offered in the application explaining the situation which led to dismissal of the Second Appeal to be satisfactory, Misc. Civil Application is allowed and Second Appeal No. 245 of 2013 is restored to its file.

Learned counsel for the appellants to inform in writing this order to the counsel for respondents as well as respondents.

Judge

[hedau]