

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Civil Application [CAO] no. 2101 of 2015
IN
Misc. Civil Application St. No. 22421 of 2015
IN
Second Appeal No.24 of 2013 [decided]
[Sudhakar Shankar Pujari Vs. City of Nagpur Corporation & another]

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

Court's or Judge's orders

Mr. S. P. Kshirsagar, Adv., for the appellant.
None for the respondents.

- - - -

CORAM : A.B. CHAUDHARI, J.

DATE : 21st March, 2016

This is an application for condonation of delay of 443 days in filing application for restoration of the Second Appeal, which was dismissed in default by this Court on 31st July, 2014.

Heard learned counsel for the appellant. None for the respondents.

Though this application goes unopposed in the absence of respondents, in my opinion, in order to have adjudication on the dispute between the parties on merits, accepting the reasons offered in the application explaining the delay to be good and sufficient, the

application is allowed and delay of 443 days caused in filing of application for restoration of Second Appeal is condoned.

M.C.A. St. No. 22421 of 2015 :

This is Misc. Civil Application to restore Second Appeal No. 24 of 2013, which was dismissed in default by this Court on 31st July, 2014.

Heard.

Accepting the reasons offered in the application explaining the situation which led to dismissal of the Second Appeal for want of prosecution, Misc. Civil Application is allowed. Second Appeal No. 24 of 2013 is restored to its file.

Learned counsel for the appellant to inform in writing the counsel for the respondents as well as the respondents about this order of restoration of Second Appeal.

Judge