

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

CA(o) No.135/2016 IN mcA St.No.977/2016 in Rej.FA No.796/2015
in FA St.No. 16422/2015
Nilkanth Nayaran Ramteke

VS

Chief General Manager, Ballarpur Area WCL, Ballarpur and others.

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

Court's or Judge's orders.

Smt. S.A.Dhawas, Advocate for applicant.
Smt. Pushpalata Rajan, Adv. For R.Nos. 1 and 2.
Shri B.B.Raipure, Adv. For R.no.3.

CORAM : S. B. SHUKRE, J.

DATE : JULY 31, 2017

Heard learned counsel for the parties.

Shri Raipure, learned counsel for the respondent no.3 submits that there is no bonafide reason given in the application. However, on going through the application, I find that there are no malafides on the part of the appellant. It appears that the absence of the appellant was only on account of failure of learned counsel to represent him effectively. Learned counsel for the appellant has also admitted his mistake by submitting that it was only on account of sheer inadvertence on his part.

Therefore, I am of the view that this application deserves to be allowed. The application is allowed. The delay in filing restoration application

is condoned.

The application stands disposed of.

MCA St.No.977/2016

Heard.

For the reasons stated in the application and in view of the order passed on condonation of delay application bearing No. CAO No.135/2016, this application is allowed. Order passed by learned Registrar(Judicial) dated 16.11.2015 is recalled. The appeal is restored to its original file. Office objections, if any, be removed within two weeks, failing which the appeal shall stand dismissed without reference to the Court.

The application stands disposed of accordingly.

JUDGE

Andurkar