

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

C.A.C. No. 48/2017 IN C.R.A. ST. No. 13441/2017

(PANKAJKUMAR PRAKASHCHAND BHANSALI -vs- UMESH UTTAMRAO PATTEWAR AND
OTHERS)

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

Court's or Judge's Orders.

Shri S.D. Chopde, counsel for applicant.
Shri V.N. Patre, counsel for respondent no.1.

CORAM: S.B. SHUKRE, J.

DATE : SEPTEMBER 29, 2017.

Heard Shri Chopde, learned counsel for the applicant and Shri Patre, learned counsel for the respondent no.1. None appears for the respondent nos.2 and 3 though duly served.

This application is strongly opposed by the learned counsel for the respondent no.1, contending that no proper explain for the delay, has been given.

However, considering the fact that reason of illness of the applicant is supported by the medical certificate, I am of the view that there is at least absence of malafides on the part of the applicant, and therefore, this application deserves to be allowed by imposing appropriate costs.

Application is allowed and the delay is condoned subject to payment of costs of Rs.500/- to respondent no.1 or by depositing the same with this Court, within two weeks from the date of the order,

failing which, this applicant shall stand dismissed without reference of this Court.

If there is payment of costs or deposit of the costs of Rs.500/- within stipulated period of time, appeal be restored and be listed on board for final disposal.

JUDGE

Yenurkar