

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

CIVIL APPLICATION NO.292 OF 2016
IN
MISCELLANEOUS CIVIL APPLICATION ST.NO.14023 OF 2015
IN
FIRST APPEAL NO.322 OF 2002
WITH
MISCELLANEOUS CIVIL APPLICATION ST.NO.14023 OF 2015

Baburao Jivlang Vahane

..Applicant

Versus

Kamlesh Gangaram Kanoje and anr.

..Respondents

Mr A.P. Thakare, Advocate for applicant

Mr Satpal Singh Renu, Advocate for respondent no.1

Mrs M.S. Naik, A.G.P. for respondent no.2

CORAM : N.W. SAMBRE, J.

DATE : 18th April 2017

PER COURT

1. It is brought to my notice that one of the connected appeals arising out of the same proceedings being First Appeal No.324 of 2002 which suffered same fate was restored by this Court on 15th February 2017.

2. Though the present application is strenuously opposed by the learned Counsel for respondent no.1, however, in view of the restoration of connected matter and for the reasons disclosed therein, the delay stands condoned. Order of dismissal of the appeal passed on 16th July 2014 is set aside. Appeal stands restored to the file subject to payment of costs of Rs.1,000/- to be paid to High Court Bar Association, Nagpur.

3. Present appeal be tagged with First Appeal No.324 of 2002.
4. Civil Application and Miscellaneous Civil Application stand allowed accordingly.

(N.W. SAMBRE, J.)

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