

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

Civil Application No. 1895/2016

in

MCA St. No. 18091/2016

in

Second Appeal No. 450/1996 (decided)

Krushnarao Keshavrao Pophale Thr. Lrs.

V/s

Vithal Namdeo Bobade, Thr. L.Rs

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

Court's or Judge's orders

Shri. S.R.Deshpande, Advocate for applicants.
Shri Mahesh Rai, Advocate for Respondent Nos. 2 & 3.

CORAM : A.S. CHANDURKAR, J

DATED : 17th JULY, 2017.

Name of respondent no.4 is permitted to be deleted at the risk of applicants. His legal heirs are already on record.

The amendment be carried out forthwith.

By this application, it is prayed that the delay in filing restoration application be condoned. In the application it is stated that as per the order dated 31/07/2006, the paper book was to be filed within a period of eight weeks. The same was however filed three days late. The reasons for the delay in filing the restoration application are stated in paras nos. 2 and 3 of the application.

The application is opposed by learned counsel for the respondent Nos. 2 & 3-A. However, considering the reasons mentioned in the application the delay stands condoned.

Civil Application No. 1895/2016 is allowed and disposed of accordingly.

M.C.A. St. No. 18091/2016

Considering the reasons mentioned in the application and as the paper book was filed after period of three days, the second appeal is restored to file.

Misc. Civil Application is allowed and disposed of accordingly.

Second Appeal No. 450/1996

Issue notice of hearing of the Second Appeal to the respondent Nos.3 (B to D) and respondent Nos. 5 to 7.

Shri Rai learned counsel waives notice on behalf of respondent Nos. 2 and 3-A.

Notice returnable on 21/8/2017.

Hamdast granted.

JUDGE