

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CIVIL APPLICATION NO. 3850 OF 2017
IN SA/689/2007

ANUSAYABAI SHRIRAM HIWALE
VERSUS
JIJARAO GULABRAO JAGTAP

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Advocate for the Applicant : Shri Deshmukh Yogesh P.

Advocate for the Respondent : Shri V.R.Naik.

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CORAM: RAVINDRA V. GHUGE, J.

DATE :- 28th February, 2018

Per Court:

1 The Applicant prays for condonation of delay of 574 days in filing this application seeking restoration of Second Appeal No.689/2007, which was dismissed for non compliance of the directions of this Court on 10.07.2015.

2 I have heard the learned Advocates for the respective sides and with their assistance, I have gone through the Civil Application as well as the affidavit in reply filed by the Respondent.

3 Considering the reasons cited in this Civil Application, the same is allowed. The delay of 574 days is condoned subject to costs of Rs.1000/- (Rupees One Thousand). The learned Advocate for the Respondent graciously submits that this costs may be donated to the

Advocates Association.

4 As such, the Applicant shall deposit costs of Rs.1000/- with the Advocates Association of Bombay High Court, Bench at Aurangabad on or before 23.03.2018. The directions of this Court vide order dated 27.10.2014 shall also be complied with, if not already complied with, on or before 23.03.2018. Thereafter, the order dated 10.07.2015 would stand recalled and the Second Appeal would stand restored at the stage at which it was dismissed.

5 If either of the above directions are not complied with, this order shall stand recalled, this Civil Application shall stand rejected and the earlier order dated 10.07.2015 shall stand restored on 24.03.2018.

kps

(RAVINDRA V. GHUGE, J.)