

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.6490 OF 2019
IN
FIRST APPEAL NO.147 OF 2001
(Anjebhau Gulabrao Chavan and another Vs. The Oriental
Insurance Co. Ltd. and others)

Mr. V.R. Sonwalkar, Advocate for the applicants
Mr. R.C. Bora, Advocate holding for Mr. P.P. Bafna,
Advocate for respondent No.1
None for respondent Nos.2 to 5

CORAM : SUNIL K. KOTWAL, J.

DATE : 13th JUNE, 2019

ORDER :

This application is filed by the appellants in First Appeal No.147 of 2001 for restoration of the appeal after condoning the delay.

2. Heard learned counsel for the applicants/appellants and learned counsel appearing for respondent No.1.

3. Learned counsel for the applicants/appellants submits that on account of his inadvertence, the appeal came to be dismissed and his clients should not suffer. Though learned counsel for the insurer of the

offending vehicle opposed this application, considering the inadvertent mistake on the part of the learned counsel for the applicants/appellants, it is not desirable to allow the clients to suffer for the mistake of their Advocate. Therefore, the delay of 1492 days in filing application for restoration is condoned. The order of dismissal of the appeal dated 16th January, 2015 is set aside. First Appeal No.147 of 2001 is restored to its original position. The Civil Application is accordingly allowed and disposed of.

[SUNIL K. KOTWAL]
JUDGE

npj/ca6490-2019