

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

CIVIL APPLICATION (CAO) NO. 447 OF 2015
WITH
MISC. CIVIL APPLICATION (MCAST) NO. 4098 OF 2012
IN
MISC. CIVIL APPLICATION (MCAST) NO. 1455 OF 2011
IN
MISC. CIVIL APPLICATION (MCA) NO. 912 OF 2010
IN
SECOND APPEAL (SA) NO. 394 OF 2008

[Maimuna Begum w/o Ab. Sattar and ors. Vs. State of Maharashtra and ors.]

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Ms. Anita Shinde, Advocate for the appellant
Mrs. G. R. Tiwari, AGP for respondent no. 1

CORAM : M. G. GIRATKAR, J.

DATE : 11/09/2019

Civil Application (CAO) No. 447 of 2015 is for condonation of delay. Misc. Civil Application (St.) No. 4098 of 2012 is for restoration of rejected Misc. Civil Application (St.) No. 1455 of 2011. Misc. Civil Application (St.) No. 1455 of 2011 is for restoration of appeal. The Second Appeal No. 394 of 2008 was filed in the year 2008. The appeal was dismissed for not removal of the office objections. The application for restoration was filed. It was dismissed. The delay is of more than one year.

Heard Ms. Anita Shinde learned Counsel for appellant. She has submitted that appellant's husband was suffering from paralytic attack and, therefore, she could not file the applications.

Perused the Medical Certificate issued by Dr. Madhukar Lanje. This Certificate nowhere states that Abdul Sattar Sher Mohd Qureshi was indoor patient or he was bedridden. It only shows that he was under his treatment from 01.04.2011 to 27.02.2012. This Certificate does not show that the appellant was unable to move. Moreover, the appellant was not suffering from any decease. As per her submission, her husband was suffering from paralytic attack. There is no sufficient cause to condone the delay.

Accordingly, the applications are rejected.

JUDGE

SMGate