

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

C.A.O. NO. 798/2019 WITH C.A.F.NO.1676/2019
IN F.A.NO. 1211/2016.

Jagdish Nanaji Raut.

-VERSUS-

Sagar Ahmed Khushid Ahmed.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Shri R.R. Dhawad, Advocate for the Appellant.
Shri S.N. Dhanagare, Advocate for Respondent No.3.

CORAM : VINAY JOSHI, J.

DATE : 02.12.2019.

Heard.

2. These applications are taken out by the appellant/applicant seeking condonation of delay causing in filing application for restoration of appeal along with setting aside abatement, against respondent nos. 1 and 2.

3. Since the appellant has not taken any steps, the appeal came to be dismissed against respondent nos. 1 and 2, vide order of Registrar dated 11.07.2017. There happens to be a delay of 612 days

in filing the application for restoration.

4. The appeal is for enhancement of compensation amount. The Insured is already served. Considering the grounds and for giving fair chance, the abatement is set aside. The appeal is restored for respondent nos. 1 and 2, subject to appellant depositing costs of Rs.1000/- payable to the High Court Legal Services Sub Committee, Nagpur within a period of two weeks from today. Further the appellant to comply with the deficiencies within the aforesaid period. Thereafter issue notice to respondent nos. 1 and 2, returnable on 06.01.2020. Civil Applications are disposed of accordingly.

JUDGE

Rgd.