

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

MISC. CIVIL APPLICATION (MCA) NO. 978 OF 2019

in

SECOND APPEAL NO. 318 OF 2005 (D)

[M/s Prakash Trading Company Vs. Naresh Kumar s/o Hasmukhrai Vakhariya and ors.]

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

Court's or Judge's Order

Shri C. A. Joshi, Advocate for the appellant

Shri S. O. Ahmed, Advocate for the respondents

CORAM : M. G. GIRATKAR, J.

DATE : 30/09/2019

Heard learned Counsel Shri Joshi for the appellant. He has submitted that the appeal was fixed for final hearing, but he was required to leave the court as his mother was ill and, therefore, he cannot remain present before the Court. Hence, the appeal was dismissed.

Learned Counsel Shri S.O. Ahmed for the respondents opposed the application.

Looking to the grounds mentioned in the application, the application is **allowed**. The appeal is restored at the stage when it was dismissed.

The appeal was already fixed for final hearing. Hence, list this appeal alongwith First Appeal No. 294 of 2005 for final hearing.

JUDGE