

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 1056 OF 2017
IN
FIRST APPEAL NO. 643 OF 1995

Walchand Gulabchand Bora .. Applicant
Versus
Mani Jandarsingh Meghsingh & ors .. Respondents

...

Mr. Swapnil S. Mhatre for the Applicant.
Mr.H.G.Misar for Respondent No.3.

CORAM: BHARATI DANGRE, J.
DATED : 13th MARCH 2020

P.C:-

1. The Civil Application instituted on 04.10.2016, seeks restoration of the First Appeal against respondent Nos. 1 and 2, which came to be dismissed on account of non-serving them.
2. The Appeal was dismissed on 24.03.1998. Vaguely, the Application press that the delay, if any, is caused in filing the Application, be condoned.
3. If the applicant is seeking restoration of an Appeal, then, it is imperative for him to explain as to why he did not bring the necessary Application within the period stipulated and it is only

on bringing sufficient cause before the Court, the delay is liable to be condoned. The provisions contained in the statute cannot be taken for granted and must be strictly adhered to.

4. The learned Counsel for the applicant is at liberty to take the appropriate application, if so advised.

5. Civil Application No. 1056 of 2017 stands disposed of.

SMT. BHARATI DANGRE, J