

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

CIVIL APPLICATION (CAO) NO.1676/2019

IN

MISC. CIVIL APPLICATION ST. NO.18207/2019 (Restoration)

IN

MISC. CIVIL APPLICATION ST. NO.548/2019 R.C. No.424/2019

IN

SECOND APPEAL NO.229/2013 (D)

Bhimrao s/o Domaji Tarke (Dead) Through Legal Representatives

Smt. Anusaya wd/o Bhimrao Tarke and others

...Versus...

Shriram s/o Langdaji Tarke

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

Court's or Judge's orders

Shri K.J. Topale, Counsel for applicants
Shri P.S. Dharaskar, Counsel for respondent

CORAM : AVINASH G. GHAROTE, J.

DATE : 04/01/2020

This is an application for condonation of delay in filing the application for restoration of the rejected Misc. Civil Application St. No.548/2019 in Second Appeal No.229/2013. It is submitted by the learned Counsel for the applicants that he was under wrong impression that there were no office objections and therefore, there was no need to remove them, which resulted into dismissal of the application for restoration. It is submitted that the impression was *bona fide*.

Considering the reasons given in the application, the delay of 69 days caused in filing the restoration application is condoned. The civil application is allowed and disposed of accordingly. No order as to costs.

MISC. CIVIL APPLICATION ST. NO.18207/2019

Place this matter on 09/01/2020.

JUDGE

Wadkar, P.S.