

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR
CIVIL APPLICATION NO. 291 OF 2020
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CIVIL APPLICATION NO. 293 OF 2020
IN
WRIT PETITION NO. 1521 OF 2012

Radha Gopikisan Sanstha, A registered Public Trust through President Bajrang
Shrinivas Agrawal
...Versus...
Ramlal Debulal Nagapure and others

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

Court's or Judge's orders

Shri C.R. Sharma, Counsel for petitioner.
Ms. Geeta Tiwari, Counsel for respondent No.9
Shri S.S. Shingane, Counsel for respondent Nos.1 to 8

CORAM : AVINASH G. GHAROTE, J.
DATE : 25/02/2020

Mr. C. R. Sharma, learned Counsel for petitioner, makes a statement, that he is not pressing civil application Nos. 291/2020 and 292/2020 and 293/2020. The statement is accepted. The above Civil applications are therefore, disposed of as not pressed.

CIVIL APPLICATION NO. 2326 OF 2019

The application seeks to condone the delay of 1584 days caused in filing application for restoration of the

petition as against the respondent No.7, which came to be dismissed by an order dated 29/07/2015.

The learned Counsel Mr. S.S. Shingane, submits, that he is appearing for the respondent No.7 in other connected petition, namely, Writ Petition No. 4426/2016, and the correct name of the respondent No.7, is Manoj Namdeorao Lilhare.

The learned Counsel for the petitioner therefore, requests that leave be granted to correct the name of the respondent No.7 to Manoj Namdeorao Lilhare.

Leave is accordingly granted. The correction be made forthwith.

Considering the fact that the petition was already admitted, the delay occasioned in filing the application for restoration, though opposed by Shri S.S. Shingane, who waives notice for respondent No.7, is condoned for the reasons stated in the application.

The civil application is allowed and disposed of accordingly. No costs.

CIVIL APPLICATION NO. 3321 OF 2019

Since the delay in filing the application for restoration is condoned, accepting the reasons stated in the application, the order dated 29/07/2015, in spite of opposition by learned Counsel, Shri S.S. Shingne, who waives

notice for respondent No.7, is set aside and the petition is restored as against the respondent No.7.

Civil application is allowed and disposed of accordingly. No costs.

WRIT PETITION NO. 1521 OF 2012

On an oral request made by the learned Counsel for the petitioner, leave is granted to correct the name of the respondent No.7, in the petition as Manoj Namdeorao Lihare. The correction be carried out forthwith.

Mr. S S. Shingne learned Counsel for the respondent No.7, waives notice.

Learned Counsel for the petitioner submits that the respondent No.2, Mr. Shyamlal Debulal Nagapure, has since passed away on 06/05/2013, and therefore, appropriate application shall have to be moved, for which he will take appropriate steps.

List the matter on 11/03/2020 for appropriate steps, as may be deemed necessary by the learned Counsel for the petitioner.

Mr. S.S. Shingane, learned for the respondent Nos. 1, 3, 6 and 7, to satisfy the office regarding the other objections.

JUDGE