

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 3511 OF 2021
IN
CIVIL REVISION APPLICATION NO. 630 OF 2013

Harishchandra Gangaram
Pedamkar, deceased thru LRs & Ors .. Applicants
Versus
Vasant Gangaram Pedamkar & Anr .. Respondents

...

Mr. Rajesh Jain with Rohit Jain i/b Legal Juris for the applicants.
Mr. M.S.Menon for respondent no.1.

CORAM: BHARATI DANGRE, J.
DATED : 25th NOVEMBER, 2021

P.C:-

1 By the present application, the applicants are praying for setting aside of the dismissal order passed by this Court on 28th March 2019 when the Civil Revision Application No.630 of 2013 filed by the original applicant - Harishchandra Gangaram-Pedamkar was dismissed in default.

2 Pertinent to note that the applicants are his legal heirs who are already brought on record in furtherance of the order of the Court dated 8th May 2015.

Tilak

By the said application, the delay of 1 year 276 days in filing of the restoration application is also sought to be condoned.

3 Heard learned counsel for the applicant and learned counsel for the respondent. Application in paragraph nos.4 to 6 has set out the grounds for condoning the delay which has occasioned in restoring the Civil Revision Application. On being convinced that the delay is bonafide and has been sufficiently justified, I deem it appropriate to grant the application.

4 Interim Application No.3511 of 2021 is made absolute in terms of prayer clause (a) which read thus:

“(a) 1 year 276 days delay may be condoned.

That the order of dismissal dated 28th March 2019 passed by this Hon’ble Court, be recalled and the present Civil Revision Application No. 630 of 2013 be restored”

5 Civil Revision Application is restored to its file. Parties are at liberty to circulate the same for hearing.

SMT. BHARATI DANGRE, J