

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

Civil Revision [CRA] No.6 of 2021

Dr. Smt. Seema Arun Mankar

vs.

Shri Pradeep Shyamrao Kikirwar & others

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*Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.*

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Court's or Judge's Orders

*Shri Gopal Sawal, Advocate for the Applicant.
Shri S.S. Sitani, Advocate for Respondent No.1.*

CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATE : 5th MARCH, 2021.

The revision applicant has challenged the order dated 06/01/2021, whereby learned Additional Judge, Small Causes Court, Nagpur has restored R.C.S. No.175/2016, which was dismissed for default.

A perusal of the impugned order reveals that the matter was called out on 24/01/2020 during morning session. The suit was dismissed since the plaintiff and his Counsel were not present. The order records that the plaintiff had appeared in the Court on the same date at 1:35 p.m. and filed an application for restoration on the ground that he was busy before another Court. It was under the circumstances that the Civil Court had held that the plaintiff has made sufficient cause for not appearing at the time, when the matter was called out for hearing.

There is no jurisdictional or any other error in the order. The revision application has no merits and, is, accordingly, dismissed.

JUDGE