

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

Civil Application [CAS] No.533 of 2017

in

Second Appeal St.No.10083 of 2017

(Maroti Damdooji Mandade vs. Shankar Lahanuji Moharle & others)

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

Court's or Judge's Orders

CORAM : S.M. MODAK, J.

DATE : 21st OCTOBER, 2021.

Read the order dated 04/10/2021. The application is dismissed against some of the respondents by passing the order by the learned Registrar (Judicial). Even the application stands abated. The details are given in the order dated 04/10/2021. The earlier orders also show that the applicant was not present on those dates. This is an application for condonation of delay of 1308 days in filing the second appeal.

The present applicant is the defendant before the trial Court. There was a decree against the defendant. It was declared that he is not having any right in the suit property and he has been enjoined from obstructing the plaintiffs' possession. The first appeal preferred by him came to be dismissed. There is a delay in preferring a second appeal. It seems that the applicant is not interested in prosecuting the delay condonation application.

Hence, the application is dismissed for want of prosecution. In case the applicant will come with restoration application, the applicant first to deposit costs of Rs.5,000/-.

JUDGE