

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

CIVIL APPLICATION (CAO) NO.799/2021

IN

MISC. CIVIL APPLICATION NO.673/2021

IN

CIVIL APPLICATION (CAF) NO.1144/2020

IN

FIRST APPEAL ST. NO.1835/2020 (D)

Gulabrao Shivram Sable

...Versus...

Rakesh Konduji Pipare

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

Court's or Judge's orders

Shri Y.B. Mandpe, Advocate for applicant
Shri A.S. Ghawade, Advocate for respondent

CORAM : AVINASH G. GHAROTE, J.

DATE : 14/12/2021

1. This civil application seeks to condone the delay of 37 days in filing the application for restoration of first appeal dismissed on 10/02/2021 for non-supply of the copy of memo of appeal.

2. Learned Counsel for the respondent has no objection, if the delay is condoned, considering which, the civil application is allowed.

MISC. CIVIL APPLICATION NO.673/2021

1. This civil application seeks to restore the first appeal dismissed on 10/02/2021.

2. The reason given is that the compromise has been effected between the parties, as stated in para 5 of the said application, which is not disputed by the other side, considering which, the misc. civil application is allowed. The appeal is restored to file. No costs.

FIRST APPEAL ST. NO.1835/2020

1. Shri Mandpe, learned Counsel for the appellant submits that the compromise has already been arrived at between the parties, which position is stated in para 5 of the application for restoration and the position being not disputed by the other side, Shri Mandpe, learned Counsel for the appellant, upon instructions, seeks leave to withdraw the first appeal.

2. Statement is accepted. First Appeal is dismissed as withdrawn. Appropriate court fees, as per rules, be refunded. No costs.

(AVINASH G. GHAROTE, J.)