

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

CIVIL APPLICATION (CAO) NO.1839 OF 2017
IN
MISC. CIVIL APPLICATION ST. NO. 25361 OF 2017
IN
SECOND APPEAL NO.185 OF 2004

(VISHWAS ANANDRAO WATANE....VS.. SAU.MAINABAI JAGANNATHRAO THAKRE & OTH.)

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

Court's or Judge's orders

Smt. V.P.Thakre, Advocate for Applicant.

CORAM : ANIL S. KILOR, J.
DATED : NOVEMBER 23, 2021.

1. This is an application for condonation of delay in filing application for restoration of second appeal.
2. Heard learned counsel for the applicant.
3. It is pointed out that there is delay of 95 days and sufficient cause has been shown in the application, particularly in paragraphs 2 and 3 of the application. It is submitted that the delay has been caused due to bonafide reasons and it is not intentional.
4. The matter is abated against respondent No.1, whereas the matter was dismissed against the respondent Nos. 3 and 5. None for the respondent Nos. 2 and 4, though served.

4. In view of the fact that sufficient cause has been shown in the application and as there is no opposition by respondent Nos. 2 and 4, the application is **allowed**. The delay caused in filing application for restoration of the second appeal is condoned.

The application stands **disposed of** accordingly.

6. Office is directed to place this matter after two weeks, after registering the Misc. Civil Application for restoration of second appeal.

JUDGE

RRaut.