

Shiv

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO.1193 OF 2022
IN
FIRST APPEAL NO. 1439 OF 2016**

Manmohan Gopiram Agarwal ...Applicant
Versus
Budhaji C Gharat (Decd)
Through LRs Govardhan B Gharat & Ors ...Respondents

Mr Rahul Shinde, i/b P P Jawale for the Applicant.

HEMANT
CHANDERSEN
SHIV

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PC:-

CORAM **G.S. Patel &
Madhav J. Jamdar, JJ.**
DATED: **31st March 2022**

1. This Interim Application seeks restoration of Interim Application No 1231 of 2020 in First Appeal No 1439 of 2016 (which also numbered as Interim Application No 1 of 2020 in First Appeal No 1439 of 2016). There is a delay in Interim Application No 1193 of 2022 of one year and 201 days.
2. While mindful of the law of the subject requiring the delay to be explained, we exercise our discretion and condone the delay

because of the nature of the principal application that is being made (which is to condone a delay in applying for a refund of court fees).

3. Interim Application 1231 of 2020 is restored to file.

4. Interim Application is disposed of.

(Madhav J. Jamdar, J)

(G. S. Patel, J)