

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

CIVIL APPLICATION NO.2194 OF 2003

IN

MISC. CIVIL APPLICATION STAMP NO.7324 OF 2003

IN

FIRST APPEAL NO. 192 OF 1986 (D)

Sk. Hasam S/o Sk. Habib and others

Vs.

Sk. Mehboob S/o Sk. Mannu and others

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

Court's or Judge's orders

Mr. S. S. Sarda, Advocate h/f Mr. S. P. Bhandarkar, Advocate for applicants/appellants.
Mr. S. A. Chaudhari, Advocate for non-applicant/respondent No.1.

**CORAM : SANDEEP K. SHINDE AND
MRS. VRUSHALI V. JOSHI, JJ.**

DATED : 30/11/2022

CIVIL APPLICATION NO.2194 OF 2003 AND
MISC. CIVIL APPLICATION STAMP NO.7324 OF 2003

1. For the reasons stated in the application, the delay caused in preferring the application for restoring the First Appeal No.192 of 1986, is allowed, subject to, appellants depositing Rs.10,000/- with the High Court Legal Aid Services Sub-Committee, Nagpur within three weeks from today. In the consequence, the order dated 09.01.2003 dismissing the appeal is recalled and First Appeal No.192 of 1986 is restored to file. However it is clarified that if the applicants/appellants fails to deposit the costs, the order restoring the appeal shall stand

recalled and appeal would stand dismissed without reference to the Court.

2. Civil Application No.2194 of 2003 and Misc. Civil Application No.7324 of 2003 in First Appeal No.192 of 1986 are allowed in aforesaid terms.

**Civil Application (CAO) No.713 of 2022 in
Misc. Civil Application (ST.) No.7324 of 2003 in
First Appeal No.192 of 1986**

1. Learned counsel for the applicants/appellants, on instructions, seeks leave to delete the respondent Nos.3, 4, 5 and 6.

2. Leave granted.

3. Consequential amendment be carried out forthwith.

4. The learned counsel seeks time to verify, whether Sk. Mehboob S/o Sk. Mannu respondent No.1, continues to be *ad-hoc* trustee of the trust or not.

5. Stand over to 06.01.2023.

(MRS. VRUSHALI V. JOSHI, J.)

(SANDEEP K. SHINDE, J.)