

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

CIVIL APPLICATION (F) NO.93 OF 2020

IN

FIRST APPEAL (ST.) NO.7180 OF 2019.

{Santosh Madhukarrao Chakre ..Vrs.. Kushal Babarao Chavhan and
Ors.}

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

Court's or Judge's order

Shri S. S. Patil, Advocate for the Applicant/Appellant.

CORAM : ABHAY AHUJA, J.

DATE : 12th SEPTEMBER, 2022.

. By this application, the applicant/appellant is seeking a condonation of delay of 283 days in filing the first appeal.

2. It is however noted from the record that on 30.11.2021, the appeal had been dismissed for failure to take required steps despite several opportunities granted.

3. Upon this information being brought to the notice of the learned counsel, the learned counsel submits that the delay of 283 days is not in filing the appeal, but in filing the application for restoration and he not only seeks condonation of delay in filing the said application but also restoration of the appeal. Shri Patil, learned counsel draws the attention of this Court to paragraphs 1 and 2 of the application to explain the delay caused in filing the application for restoration.

4. Having heard the learned counsel and having perused the application as well as medical documents, this

Court is inclined to condone the delay as well as restore the first appeal. Accordingly, the civil application is **allowed**. Delay is condoned. Registry is directed to restore the Appeal to the file. Civil application is disposed of.

5. Let objections, if any, be removed within a period of two weeks from today. List the Appeal for admission on **06.10.2022**.

(JUDGE)

TAMBE