

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

CIVIL APPLICATION (O) NO.547 OF 2022

IN

MISC. CIVIL APPLICATION (MCA ST.) NO.11185 OF 2022

IN

FIRST APPEAL (ST.) NO.8513 OF 2017)

{Shrawan s/o Prayag Jadhav and Anr. **..Vrs..** Union of India}

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

Court's or Judge's order

Ms P. A. Thakare, Advocate for the Applicant/Appellant.

Ms N. Chaubey, Advocate for the Respondent.

CORAM : ABHAY AHUJA, J.

DATE : 12th SEPTEMBER, 2022.

. This is an application seeking restoration of the first appeal that was rejected on 04.07.2017 for non removal of office objections. Also there is a delay of 1114 days in filing this application for restoration.

2. Ms Thakare, learned counsel for the applicants/appellants draws the attention of this Court to paragraph 4 of the application to explain the delay that was caused in filing the application for restoration of the first appeal. She pertinently draws the attention of this Court to the fact that the earlier counsel Shri S. K. Sable, passed away due to Corona virus infection in May-2021 and it is only after getting a letter from the High Court to engage another counsel for the appellants that the appellants approached her in the month of June-2022. She has filed the application on 14.07.2022.

3. Ms Chaubey, learned counsel for the respondent/Railway registers her formal objection to the application.

4. Having heard the learned counsel for the parties, this Court is satisfied that there is sufficient cause made out for condoning the delay of 1114 days in the matter. Accordingly, both the applications are **allowed**. Delay is condoned. Registry is directed to restore the Appeal to the file. Both the applications are disposed of.

5. List the First Appeal for admission on **29.09.2022**.

(JUDGE)

TAMBE