

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

**CIVIL APPLICATION (CAO) NO.559/2022**  
**IN**  
**MISC. CIVIL APPLICATION ST. NO.12003/2022**  
**IN**  
**FIRST APPEAL NO.1085/2010**

Sudhakar s/o Ganapati Zanzad  
Vs.  
Sayyad Ekramuddin Syd Tamijuddin

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

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Shri M.V. Rai, Advocate for applicant

**CORAM : SMT. M.S. JAWALKAR, J.**  
**DATED : 29/07/2022**

Heard.

2. The present application is filed for condonation of delay in filing Misc. Civil Application for restoration. By order dated 18/06/2021, six months time was granted to file private paper book failure to which, the appeal would stand dismissed without reference to this Court. In view of the order, appeal came to be dismissed on 18/12/2021.

3. It is submitted by learned Counsel for appellant that due to COVID-19 (Pandemic) period, he could not collect the documents for filing paper book, thereafter matter was listed which was not noticed. Thereafter order dated 18/06/2021 came to be passed.

4. For the reasons mentioned in the application, the delay of 120 days in filing restoration application

is hereby condoned subject to costs of Rs.1000/- to be deposited to the High Court Bar Library within one week.

5. The application is disposed of accordingly.

**CIVIL APPLICATION (MCA) ST. NO.12003/2022**

The reasons mentioned in the restoration application are the same as mentioned in the application for condonation of delay in filing restoration application.

2. For the reasons mentioned in the application, the Misc. Civil Application is allowed. The Registry is directed to restore the First Appeal on its original number.

3. Ad-interim order dated 29/10/2010 to continue.

**JUDGE**

*R.S. Sahare*