

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

CIVIL APPLICATION (O) NO. 876 OF 2022
IN
MISC. CIVIL APPLICATION STAMP NO. 13152 OF 2022
IN
FIRST APPEAL NO. 420 OF 2014

Maroti Doma Khavas thr L.Rs and othres__ Vs. __ State of Maharashtra and others

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

Court's or Judge's orders

Mrs. S.K.Paunikar, Advocate for appellant
Mrs. M.H.Deshmukh, AGP for respondents/State

CORAM : AVINASH G. GHAROTE, J.
DATE : 21/12/2022

Civil Application (O) No. 876/2022 seeks to condone the delay of 728 days in filing the application for restoration of First Appeal dismissed in default on 7.8.2018 for non prosecution and MCA St. No. 13152/2022 seeks restoration of the First Appeal.

Mrs. Paunikar, learned counsel for the appellants undertakes to work out the matter, when it is called out, and states on instructions that the appellant shall not claim the interest for the period of delay, accepting which statement the delay is condoned, and the appeal is restored.

Civil Application (O) No. 877/2022 seeks condonation of 2940 days delay in bringing the L.Rs of the appellant on record. Civil Application (O) No. 878/2022 is for bringing L.Rs of deceased appellant on record.

Mrs. Paunikar, learned counsel for the appellants on instructions makes a statement that for the period of delay the appellant shall not claim any interest or statutory benefit, accepting the statement, though the same is opposed by the learned AGP appearing for respondent/State, the delay is condoned and the application for bringing L.Rs on record is allowed.

The same be carried out by 23.12.2022.

List the matter for further consideration on 9.1.2023.

JUDGE

Rvjalit