

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR
CIVIL APPLICATION (C) NO. 41 OF 2022
IN
CIVIL REVISION APPLICATION NO. _____ OF 2022
Sau. Seema W/o Maheshkumar Chudiwal and another
vs.
Dilip S/o Shivchand Chudiwal and others

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. Madhur Deo, Advocate for applicant.

CORAM : SMT. M. S. JAWALKAR, J.

DATE : 28/11/2022

CIVIL APPLICATION (C) NO. 41 OF 2022

Present application is filed for
condonation of delay.

2. In earlier Writ Petition No.5157 of 2022,
by order dated 25/08/2022 this Court has allowed
the petitioner to withdraw the writ petition with
liberty to file afresh.

3. The delay is caused from the date of the
passing of the order of 5th Joint Civil Judge, Senior
Division, Wardha i.e. 15/03/2022, as the applicant
was pursuing the remedy under bonafide belief that

remedy of writ available to him. As such for the reasons stated in the application, as well as for medical reason, I am satisfied that there is no intentional or deliberate delay in filing the present application.

4. As such the delay is hereby condoned. In view of the reasons stated in the application, I do not see any reason to issue notice to the respondent on application for condonation of delay.

5. Application stands disposed of.

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Leave to amend the prayer clause is granted. Necessary amendment be carried out forthwith.

2. Registry to register the Revision Application. After registration of the same, issue notice to the respondent, returnable in **three weeks**.

3. In the meanwhile, there shall be ad-interim relief in terms of prayer clause (e) till next date.