

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

MISC. CIVIL APPLICATION (MCA) NO. 800/2022 IN
SECOND APPEAL NO. 33/2006

Pramod S/o Bhauraoji Mahajan and another
Vs.
Rajendra S/o Kisanji Mahajan

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

Court's or Judge's orders

Shri M.M. Agnihotri, Advocate for appellants

CORAM : SMT. M.S. JAWALKAR, J.
DATE : 30/11/2022

Present application is filed for restoration of second appeal which was dismissed in default vide order dated 18/11/2022.

2. The reason given for not attending the matter is that the Counsel was arguing matter before the Full Bench. The junior Counsel also left Court under the impression that matter will not be called out as there were other matters also. As such, matter was dismissed.

3. As the application is moved immediately, I am inclined to allow the application, subject to costs of Rs.2,000/- to be paid to the High Court Bar Library, within a period of one week.

4. Registry is directed to restore the appeal on it's original number.

5. The application is disposed of.

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After restoring, issue notice to the respondent, returnable within two week.

2. The interim order passed on 11/04/2007 is hereby continued.

(SMT. M.S. JAWALKAR, J.)

Jayashree..