

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

CIVIL APPLICATION (CAO) NO.777 OF 2022 IN
CIVIL APPLICATION (CAF) NO. 2254/2022 IN
CIVIL APPLICATION (CAF) NO. 264/2018
FIRST APPEAL ST. NO. 337/2018

The Oriental Insurance **Versus** Smt. Gumfabai wd/o Ananda Salve and others.

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

Court's or Judge's Order

Shri A. Paunikar, Advocate for the applicant.
Shri S.P.Pawar, Advocate for the non-applicants No. 1 to 4.
Ms S.A. Dhawale, Adv. h/f Shri S.D.Chande, Adv. for non-applicant
No.5.

CORAM : ABHAY AHUJA, J.
DATED : 10/10/2022

1. These are applications filed for condonation of delay and restoration of civil application (CAF) No. 264/2018 which was dismissed for failure to comply with the orders of the Registrar (Judicial) of this Court.
2. Shri Paunikar, learned Advocate for the applicant submits that Shri S.P. Pawar, learned Advocate is now representing the non-applicants No. 1 to 4. There is a delay of 281 days in filing the application for restoration.
3. Having heard the learned counsel and having perused the applications, let the delay of 281 days in filing restoration application be condoned.

4. Let the Civil Application (CAF) No. 264/2018 be restored to file.

5. Both the Civil Applications stand allowed.

Civil Application No. 264/2018

Heard.

2. By this application, the applicant is seeking condonation of delay of 121 days in filing Appeal against the judgment and award dated 19/04/2017 passed by the M.A.C.T Buldana in M.A.C.P. No. 02/2013.

3. Shri Paunikar, learned counsel draws attention of this Court to paragraphs 3 and 4 of the application to explain the delay.

4. Shri Pawar, learned counsel for the non-applicants No. 1 to 4 and Ms S.A. Dhawale, Advocate holding for Shri S.D.Chande, Advocate for non-applicant No.5 have no objection, if the delay is condoned.

5. Having heard the learned counsel and having perused the application, let the delay of 121 days in preferring the appeal be condoned.

6. Let the appeal be registered within a period of two weeks.

Civil application stands disposed.

First Appeal Stamp No. 337/2018

1. Heard.

2. The Appellant is directed to serve the copy of the Memo of Appeal along with complete Annexures

upon the respondents within a period of four weeks and file an affidavit of service with tangible proof in this Court by the next date.

3. List the matter on 14/11/2022.

[ABHAY AHUJA, J.]