

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 104 OF 2022

IN

APPEAL FROM ORDER NO. 729 OF 2011

Nagendrapati Naonidhipati Tripathi
(Since deceased)

...Applicant

V/s.

The State of Maharashtra, Through
Collector of Bombay and Ors.

....Respondents

--

Mr. R.M. Havnur a/w. Ms. Prajakta Jagtap, for the Applicant.

None for the Respondents.

CORAM : SANDEEP V. MARNE, J.

Dated : 29 August 2023.

P.C. :

1. In pursuance of the order passed by this Court on 28 November 2022 the Appellant has filed Affidavit as directed by this Court. It appears that the notices in the Civil Application have been served on the Respondents. None appears for the Respondents.

2. In this application, Applicant seeks restoration of the Appeal from Order which was dismissed for default by order dated

11 June 2014. He also seeks condonation of 302 days delay in filing the Appeal. For the reasons stated in the application, the application is allowed in terms of the prayers made therein. Appeal from Order No. 729/2011 is restored. Appeal be listed on **17 October 2023.**

**NEETA
SHAILESH
SAWANT**

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NEETA SHAILESH
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SANDEEP V. MARNE, J.