

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

CIVIL APPLICATION (O) NO.1571 OF 2019

IN

MISC. CIVIL APPLICATION (ST) NO.739 OF 2019

IN

FIRST APPEAL (ST) NO.6824 OF 2015

[Deputy Chief Engineer (Construction) ..V/s.. Sau. Ashatai W/o Pandurang
alias Babarao Gulabrao Patil and Ors.]

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

Court's or Judge's order

Mr A. Parihar, Advocate for Applicant/Appellant.
Mr S. Alaspurkar, Advocate for Respondent No.1.
Mr M. A. Kadu, AGP for Respondent Nos.2 and 3.

CORAM : URMILA JOSHI-PHALKE, J.

DATE : 16th MARCH, 2023.

. Present application is filed for condonation of delay in filing the application for restoration of the application for delay in first appeal.

2. As per the contention of the applicant, this Court *vide* order dated 03.03.2017 has granted time to take steps to supply the correct address of respondent No.1. However, the steps are not taken within stipulated time, and therefore, the application was dismissed. It is the further contention of the applicant that the said order passed by this Court was not noticed inadvertently by the applicant, and therefore, the delay of 182 days is caused.

3. Mr Alaspurkar, learned Advocate for respondent No.1 and learned Assistant Government Pleader for respondent Nos.2 and 3 have no objection for the same.

4. In view of the reasons mentioned in the application, the

application is allowed. Delay of 182 days is condoned.

5. The civil application is disposed of.

MISC. CIVIL APPLICATION (ST) NO.739 OF 2019.

6. On supplying the correct address of respondent No.1 and on removing the office objections within two weeks, the application be restored at its original stage. On failure to comply, the order passed on 03.03.2017 will survive.

7. Miscellaneous civil application is disposed of.

8. Stand over after four weeks.

JUDGE

TAMBE