



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

MISC. CIVIL APPLICATION NO. 580/2023

IN

CIVIL APPLICATION (CAS) NO. 754/2021

IN

SECOND APPEAL STAMP NO. 5354/2021

Smt. Baleshwari W/o Maroti Koyadwar

Vs.

Raju S/o Chaitram Raut (Dead) through L.Rs. Smt. Lilabai Wd/o Raju Raut and others

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

Court's or Judge's orders

Shri C.F. Bhagwani, Advocate for applicants

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

DATE : 22/12/2023

Present application is filed for restoration of second appeal, which was dismissed for want of prosecution on 10/02/2023. It appears that matter was adjourned thrice, but nobody turn up. Therefore, it was dismissed for want of prosecution. Though I am not satisfied with the reasons stated in the application, in the interest of justice, I am allowing the application, subject to costs.

2. The application is allowed, subject to costs of Rs.3000/-, to be paid to the Vidarbha Law Association, within a period of two weeks.
3. Registry is directed to restore the appeal on its original number.
4. List the matter thereafter for admission.
5. Application stands disposed of.

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