

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

FIRST APPEAL NO. 252 OF 2017

Deokabai w/o Shantaram Jawalkar and another vs. The State of Maharashtra 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 A. B. Nakshane, Advocate for applicant.
Smt. Trupti Udeshi, AGP for respondent Nos.1 and 2.

CORAM : URMILA JOSHI-PHALKE J.

DATE : 03/04/2023

**CIVIL APPLICATION (O) NO. 463 OF 2023 IN
MISC. CIVIL APPLICATION NO. 384 OF 2023**

This is an application for condonation of
delay of 600 days in preferring the application for
restoration against respondent No.3.

2. In view of the reasons mentioned in the
application, the same is allowed. The delay of 600
days is hereby condoned.

3. Application is disposed of.

MISC. CIVIL APPLICATION NO. 384 OF 2023

This is an application seeking restoration
of the appeal against respondent No.3 by setting

aside the order dated 04/10/2022 passed by the learned Registrar (Judicial).

2. The reason for delay is mentioned in the application that copy of the application was not supplied to issue notice to the respondent No.3, hence application was dismissed against it.

3. In view of the reason mentioned in the application, the same is allowed. Accordingly, Civil Application (O) No. 280 of 2022 is restored against the respondent No.3.

4. Application stands disposed of.

**CIVIL APPLICATION (O) NO. 280 OF 2022 IN
MISC. CIVIL APPLICATION (STAMP) NO.10434 OF
2021**

Present application is for condonation of delay of 961 days in preferring restoration application.

2. In view of the reasons mentioned in the application, the same is allowed. The delay of 961 days is hereby condoned.

3. Application is disposed of.

MISC. CIVIL APPLICATION (STAMP) NO. 10434 OF 2021

This is an application seeking restoration of first appeal. Smt. Trupti Udeshi, learned AGP waives service of notice on behalf of respondent Nos.1 and 2. Shri M. A. Kadu, learned Advocate waives notice on behalf of respondent No.3.

2. On filing of paper book within two weeks, the paper book is dispensed with. Appeal is to be restored at its original stage as matter is already covered by the earlier judgment.

3. Accordingly, the appeal is restored at its original stage.

4. Application is disposed of

5. Call for Record and Proceedings.

6. Appeal be placed before the Court after vacation.

[URMILA JOSHI-PHALKE J.]