

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

CIVIL APPLICATION (CAO) NO. 596/2023 IN M.C.A. ST. NO.
7471/2022 IN FIRST APPEAL NO. 777/2019

Tulakchand S/O Bhimrao Bisen Thr. P.O.A. Holder Shri. Rameshkumar
S/O Jiyalal Harinkhede

Vs

The Executive Engineer P.W.D. Office, Gondia And Others

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

Court's or Judge's Order

Mr V.R. Borkar, advocate for the applicant/appellant.

Ms T.H. Udeshi, AGP for the respondents.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 21/04/2023.

1. Heard.
2. The present application is for seeking condonation of delay which is caused in preferring the restoration application.
3. Ms T.H. Udeshi, learned AGP waives service of notice on behalf of respondent Nos. 1 to 3.
4. It is submitted by the learned advocate for the applicant that inadvertently he has not noted the order of this Court therefore, he could not file the private paper-book within time and therefore, the Court has dismissed the appeal.
5. The said application is strongly opposed by the learned AGP on the ground that the delay is not properly explained.

6. In view of the reasons mentioned in the application and considering the fact that the applicant did not require to attend the proceedings at the appellate stage, therefore, he depends upon the advocate, and delay is caused. There is a sufficient and satisfactory reason for the condonation of delay, in view of that civil application is allowed, the delay is condoned.

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1. On filing of the private paper-book within a period of six weeks, the appeal be restored on its original stage.
2. On failure to file private paper-book within the above said period, the earlier order passed will survive.
3. Misc. Civil Application is disposed of.

JUDGE