

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

CAO NO.681/2022 AND MCA ST.NO.13539/2022 IN FA NO.417/2019

Shri Chotelal s/o Babulal UPrade

..VS..

Shri Dilip Doulatrao Pawar and anr

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

Court's or Judge's Order

.....
Mrs.S.P.Giratkar, Counsel for the applicant.
Shri S.P.Kshirsagar, Counsel for NA No.1.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 10/01/2023

1. By this application, the applicant seeks condonation of delay which is caused in filing application for restoration of the first appeal dismissed on 7.3.2022. Delay is of 139 days.
2. As per contention of the applicant, the matter was admitted and, thereafter, it was pending for final hearing. The paper book was not prepared for want of certified copy and subsequently it is dismissed on 7.3.2022.
3. For reasons stated therein, the application is allowed. The delay stands condoned. The first appeal is restored to its original file. The applicant to file paper book within a period of two weeks from today. Also, the applicant to furnish the copy of the paper book to learned counsel for non-applicants in advance.
4. The applicant will not be entitled for the interest for the delayed period.
5. List the appeal for final hearing on 31.1.2023.
6. The civil application and misc. civil applications are disposed of accordingly.

(URMILA JOSHI-PHALKE, J.)

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