



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

CIVIL APPLICATION (CAO) NO. 1094/2023

IN

CIVIL APPLICATION (CAO) NO. 79/2022

IN

MISC. CIVIL APPLICATION STAMP NO. 17179/2021

IN

MISC. CIVIL APPLICATION NO. 824/2016

IN

SECOND APPEAL NO. 270/1999

Shripat Bhiku Bouddha through L.Rs. Ramesh Shrirang Thor and others

Vs.

Narsing S/o Kana Bilal 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 S.S. Deshpande. Advocate for applicants

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

DATE : 04/10/2023

The present application is filed for supplying correct address of respondent No.1. However, it appears that respondent No.1 is shown as served, as per office note dated 10/08/2023. As such, application does not survive and disposed of.

CIVIL APPLICATION (CAO) NO. 79/2022

The present application is filed for condonation of delay in filing restoration application. There is delay of 1975 days in filing restoration application.

2. The respondents though served, failed to appear in the matter.

3. For the reasons stated in Paragraph Nos. 2 and 3, I am satisfied that there is sufficient cause for delay in filing application for restoration. However, it cannot be overlooked that no due diligence is shown by the parties to get the matter restored by making due enquiry in the matter. As such, delay is hereby condoned, subject to deposit of costs of Rs.5000/-, to be paid to the High Court Bar Association, within a period of three weeks.

4. Office is hereby directed to restore Misc. Civil Application for restoration, subject to deposit of costs as directed, within a period of three weeks.

5. Application stands disposed of.

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