

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

CIVIL REVISION APPLICATION NO. 18 OF 2019

Manisha Shrikant Ingole. ..vr. ..Annapurna Raghuji Chandekr and ors

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

Court's or Judge's orders

Mr. A.M.Darekar, Advocate for applicant
Mr. V.M.Gadkari, Advocate for non-applicants

CORAM : AVINASH G. GHAROTE, J.
DATE : 23/06/2023

1] The revision questions the order dated 10.7.2018 condoning the delay of 9 months and 12 days in challenging the judgment and decree dated 8.2.2016 passed in M.J.C. NO. 158/2015 by imposing a costs of Rs. 1000/-.

2] Mr. Darekar, learned counsel for the applicant submits that there are no reasons for explaining the delay and therefore, the application ought not to have been allowed.

3] Mr. Gadkari, learned counsel for non-applicant nos. 1 to 4 submits that delay is properly explained as the respondents were not served personally, but are claimed to have been served by paper publication through a local newspaper which was never read by the non-applicant nos.1 to 4.

5] None appears for non-applicant no.5, though served.

6] The service being by paper publication and it having not been brought on record that the non-applicant nos. 1 to 4 are sub-scribing and receiving that newspaper on account of their residence at a remote village and considering the quantum of delay, in view of what has been held in **Esha Bhattacharjee vrs. Managing Committee of Raghunathpur Nafar Academy (2013) 12 SCC 649**, I do not see any reason to interfere in the impugned order. The revision is therefore dismissed. No costs.

JUDGE

Rvjalit