

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

CIVIL APPLICATION (CAO) NO.326 OF 2019

IN

MISC. CIVIL APPLICATION (REVIEW) ST. NO.25783 OF 2018

IN

REJ. WRIT PETITION NO.2586 OF 2008 (D)

(KAILASH FAKIRA LAHASE...VS.. BODHISATVA EDUCATION SOCIETY & OTH.)

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

Court's or Judge's orders

Shri Kalyan Chiwarkar, Adv. h/f. Shri Anand Parchure, Adv. for Applicant.
Shri Anjan De, Advocate for Respondent Nos. 1, 2 and 4.
Shri K.L.Dharmadhikari, A.G.P. for Respondent No.3.

CORAM : ANIL S. KILOR, J.
DATED : JANUARY 07, 2023.

Heard

2. This is an application for condonation of delay in filing review application. It is pointed out that after passing of the order dated 15/03/2018 an opinion was sought and on receiving the opinion that the order needs to be challenged before the Hon'ble Supreme Court of India, the petitioner tried to arrange the required money, however, he could not arrange the same and thereafter again he sought an opinion and thereupon the review application is filed. However, a delay of 202 days is caused in filing the application for review. It is therefore, submitted that as the sufficient cause has been shown by the applicant, delay may be condoned.

3. The learned counsel for the respondent Nos. 1, 2 and 4 and the learned A.G.P. for respondent No.3 opposed the application and prays for dismissal of the same.

4. After going through the reasons stated in the application and considering the fact that due to financial incapacity the applicant could not avail the remedy as opined by the earlier lawyer and therefore, he acted as per second opinion and filed review petition. As the reasons found to be satisfactory, I am of the opinion that the application needs to be allowed.

Accordingly, the Civil Application is **allowed**.

JUDGE

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