

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 2426 OF 2023
IN
FIRST APPEAL NO. 1370 OF 2017

Sangeeta Dinesh Dhokle And Anr

... Applicants

Vs.

Union Of India, Thr. General Manager, Central
Railway

... Respondent

TALLE
SHUBHAM
ASHOKRAO

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TALLE SHUBHAM
ASHOKRAO
Date: 2024.02.13
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Mr. Vineet Khosla for the Applicant.

Mr. T. J. Pandian a/w Adv. Gautam Modanwal for the Respondent.

CORAM : KISHORE C. SANT, J.

DATE : 12th FEBRUARY, 2024

P.C.:-

1. Heard both the learned Advocate's. This Application is filed praying for restoration of First Appeal No. 1370 of 2017 to original position. This Court admitted the First Appeal vide Order dated 19/09/2019 admitted. The Court directed the Appellant to file paper-book within a period of one year from the date of the Order with the condition that in case of failure the First Appeal would stand dismissed. The learned Advocate for the Appellant submits that from the month of March 2020 there was national lockdown therefore the order could not be complied. He has immediately filed the Application for restoration after the Covid-19

restriction were lifted. He further submits that a case is made out to restore the Appeal by extending the time to furnish the paper-book.

2. The Learned Advocate for the Respondent opposed the Application stating that no timely steps were taken though the order was passed at the time of admission itself.

3. Considering the reasons for not filing the paper-book this Court find that a case is made out to restore the Appeal. The Application is allowed. The First Appeal stands restored to its original position subject to condition of filing the paper-book within a period of 12 weeks from today.

4. Interim Application stand disposed of.

(KISHORE C. SANT, J.)