



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

CIVIL APPLICATION [CAO] NO.464 OF 2024
IN
MISC. CIVIL APPLICATION ST. NO.5178 OF 2024
IN
FIRST APPEAL NO.1142 OF 2019 [D]

[Chandrashekhar s/o Subhashrao Nike (Sargar) .vs. The State of Maharashtra and others]

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

Court's or Judge's orders

Mr. R.J. Shinde, Advocate for Applicant.
Mr. S.B. Bissa, AGP for Respondent Nos.1 and 2.
Mr. Rahul Tajne, Advocate for Respondent No.3.

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CORAM : SANJAY A. DESHMUKH, J.
DATE : 28th NOVEMBER, 2024.

1. This is an application for condonation of delay of 389 days caused for preferring the application for restoration of the first appeal dismissed for non-filing of the private paper book.
2. Perused the application.
3. Heard the learned advocates for both the sides.
4. Learned advocate for the applicant submitted that as per the directions of this court, the applicant has filed the private paper book on record.
5. Considering this conduct of the applicant, the application deserves to be allowed and the delay of 389 days caused for preferring the application for restoration of the first appeal is hereby condoned, as the delay is not deliberately caused.
6. The application is allowed and disposed of.

Misc. Civil Application St. No.5178/2024

1. This is an application for restoration of the first appeal.
2. For the reasons stated in the application, the application is allowed and disposed of.

First Appeal No.1142/2019

1. Heard.
2. Issue notice to the respondents.
3. Mr. S.B. Bissa, learned advocate waives service of notice on behalf of respondent nos.1 and 2.
4. Mr. Rahul Tajne, learned advocate waives service of notice on behalf of respondent no.3.
5. Stand over after six weeks.

(SANJAY A. DESHMUKH, J.)