



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

CIVIL APPLICATION (O) NO.666 OF 2021 AND
MISC. CIVIL APPLICATION (ST) NO.6688 OF 2020 IN
SECOND APPEAL NO.338 OF 2017

[Pundlik Insaram Rajgire and Anr. **..Vs..** Suresh Dudiram Rajgire and
Ors.]

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

Court's or Judge's order

Mr O. W. Gupta, Advocate for Applicants.

CORAM : M. W. CHANDWANI, J.

DATE : 17th OCTOBER, 2024.

1. Heard.
2. This is an application for condonation of delay in filing the restoration application and application for restoration of the second appeal.
3. The contention is that due to cardiac illness of the earlier counsel, he could not remain present in the Court and the appeal came to be dismissed for want of prosecution.
4. The statement made in the application on oath remained uncontroverted, since the respondents, though served, did not appear.
5. For the reasons mentioned in the applications, the application for condonation of delay and application for restoration of the appeal are allowed. The appeal be restored to the file.
6. Accordingly, the applications stand disposed of.
7. List the appeal after Diwali vacation.

JUDGE

TAMBE