



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

CIVIL APPLICATION (CAO) NO.763 OF 2024 IN
M.C.A. ST. NO.12257 OF 2024 IN
FIRST APPEAL NO.764 OF 2023 (D)

Smt. Sangita Gajanan Kudmate and others .Vs. New India Assurance Co. Ltd.
Through Branch Manager, Wardha and others

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri D.S. Lambat, Advocate for appellants/applicants.

CORAM : SANJAY A. DESHMUKH, J.
DATED : 13/12/2024

1. This is an application for condonation of delay of 138 days caused for restoration of first appeal which was dismissed for not filing of paper book.
2. Considering grounds stated in the application and submission of the learned advocate for the applicants, it appears that record and proceedings was not received therefore, delay was caused. When the paper book was prepared, Registry did not accept it.
3. For the reasons stated in the application and argument of learned advocate for the applicants, as the delay is not deliberately caused, the delay of 138 days is condoned in the interest of justice.
4. Application is **allowed** and **disposed**.

M.C.A. ST. NO.12257 OF 2024

1. This is an application for restoration of first appeal.
2. For the reasons stated in the application, the application is **allowed** subject to condition for filing of paper book within a week.
3. Application is **disposed**.

FIRST APPEAL NO.764 OF 2023

1. Stand over after **two weeks** for final hearing at 02.30 p.m.

(SANJAY A. DESHMUKH, J.)