



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

CIVIL APPLICATION (CAO) NO. 1224 OF 2023
IN
MISC. CIVIL APPLICATION (ST.) NO. 17787 OF 2023
IN
SECOND APPEAL NO. 160 OF 2010 (D)

Vidhyawati Bahadursingh Rajpur (Dead) through LR.
..VS..

Smt. Shobatai W/o Rajaram Junankar (Dead) through LR. 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. S.S. Joshi, Advocate for applicants/appellants.
Mr. M.Y. Wadodkar, Advocate for LR. of respondent No.1.

CORAM : SANJAY A. DESHMUKH, J.
DATED : 10th JULY, 2024

1. This is an application for condonation of delay filed under Section 5 of the Limitation Act caused for filing restoration application.
2. Perused the application.
3. Heard learned Advocates for both sides.
4. Learned Advocate for the respondents strongly objected the said application.
5. Considering the peculiar set of facts, the application deserves to be allowed. The application is allowed in the interest of justice subject to costs of Rs.1,000/- (Rs. One thousand only), to be deposited to the Vidarbha Lady Bar Association, Nagpur within a period of one week.
6. The application is **disposed of**.

MISC. CIVIL APPLICATION (ST.) NO. 17787 OF 2023

1. This is an application for restoration of the Second Appeal No. 160 of 2010 dismissed in default on 20.06.2023.
2. Perused the application.
3. Heard learned Advocates for both sides.
4. Learned Advocate for the respondents strongly objected the said application.
5. If the amount of costs of Rs.1,000/- (Rs. One thousand only) would deposit within a stipulated period, this application is allowed in the interest of justice.
6. The application is **disposed of**.

(SANJAY A. DESHMUKH, J.)