



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

CIVIL APPLICATION [CAO] NO.1461 OF 2024
IN
MISC. CIVIL APPLICATION ST. NO. 22985 OF 2024
IN
MISC. CIVIL APPLICATION NO.729 OF 2023
IN
FIRST APPEAL NO.391 OF 2021 [D]

[VIDC and one .vs. Sau. Shweta Prasanna Muley 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. M.A. Kadu, Advocate for Appellants.

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CORAM : SANJAY A. DESHMUKH, J.
DATE : 11th DECEMBER, 2024.

1. This is an application for condonation of delay of 505 days caused for filing application for restoration of the appeal which was dismissed for non filing of the paper book.

2. Learned advocate for the appellants pointed out the grounds stated in the application. He further submits that the paper book is ready and it can be filed within a week.

3. Considering the prayer and the reasons stated in the application, it appears that the delay is not deliberately caused. The delay can be condoned in the interest of justice. The application is allowed. The delay is condoned, subject to condition to file the paper book within a week. It is clarified that if the paper book is not filed within a week, this application shall be deemed to be rejected without further order.

4. The application is allowed and disposed of.

Misc. Civil Application St. No.22985/2024

1. This is an application for restoration of appeal.

2. Perused the application.
3. Heard the learned advocate for appellants.
4. For the reasons stated in the application, the application deserves to be allowed. The application is allowed, on condition to submit the paper book within a week. If it is not submitted within a week, this application shall be deemed to be rejected without further order.
5. The application is allowed and disposed of.

Cross-Objection No.42/2021

Registrar (Judicial) is directed to verify whether the court fee is paid or not by the cross-objector and if it is not paid, the appellants-cross-objectors are directed to deposit it within four weeks.

(SANJAY A. DESHMUKH, J.)