



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

CIVIL APPLICATION [CAO] NO.1506 OF 2024
IN
MISC. CIVIL APPLICATION ST. NO.23054 OF 2024
IN
FIRST APPEAL ST. NO.11589 OF 2021 [D]

[Dr. Awdhut Natthuji Kalmbe and others .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

 Ms. Rakhi H. Basawnahe, Adv. h/f Mr. P.R. Agrawal, Adv. for Applicants.
 Mr. S.C. Joshi, AGP for Respondent Nos.1 and 2.

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

1. This is an application for condonation of delay of 503 days caused for filing application for restoration of appeal which was dismissed for non removal of office objections.
2. Perused the application.
3. Learned advocate for the applicants pointed out that the delay is not deliberately caused. The death certificate of original claimant was not received from the claimants and, therefore, the delay is caused. It appears that the delay is not deliberately caused. Therefore, in the interest of justice, the application deserves to be allowed. The application is allowed. The delay is condoned, subject to filing the death certificate of the original applicant within four weeks. If it is not filed within four weeks, then the application shall be deemed to be rejected without further order.
4. The application is allowed and disposed of.

Misc. Civil Application St. No.23054/2024

1. This is an application for restoration of appeal which was dismissed for non removal of office objections.
2. Perused the application.
3. Heard the learned advocate for the applicants.
4. Considering the reasons stated in the application, the application deserves to be allowed. The application is allowed, subject to filing death certificate within four weeks. If it is not filed within four weeks, then the application shall be deemed to be rejected without further order.
5. The application is allowed and disposed of.

(SANJAY A. DESHMUKH, J.)