



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

CIVIL APPLICATION (CAO) NO. 597 OF 2024
IN
MISC. CIVIL APPLICATION (ST.) NO. 9602 OF 2024
IN
FIRST APPEAL NO. 1275 OF 2013 (D)

GENERAL MANAGER, CENTRAL RAILWAY, THROUGH DY. CHIEF ENGINEER, NAGPUR

—Vs.—

HARNARAYAN S/O. PUNAMCHANDJI LADDHA 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 N.P.Lambat, Advocate for applicant/appellant.

Shri J.J.Chandurkar, Advocate for LR's. of respondent no. 1/Cross-objector.

CORAM : SANJAY A. DESHMUKH, J.

DATED : 13/08/2024

1. This is an application for condonation of delay of 769 days caused for filing the application for restoration of appeal.
2. The learned Advocate for the appellant pointed out that the paper book was not filed, therefore, the appeal was dismissed. He further submits that this matter has been covered as per the judgment passed by this Court in First Appeal No. 27/2021 dated 18/04/2024. Therefore, filing of paper book can be dispensed with.
3. Considering the above facts and the reasons stated in the application, delay in filing application for restoration of appeal deserves to be allowed in the interest of justice. As

such, the Application is allowed. Delay in filing application for restoration of appeal is condoned.

4. Accordingly, the application stands disposed of.

MISC. CIVIL APPLICATION (ST.) NO. 9602 OF 2024

1. This is an application for restoration of appeal which was dismissed for non-filing of paper book as per the direction of the Court.

2. Perused the application.

3. Heard learned Advocate for both sides.

4. For the reasons stated in the application, the application deserves to be allowed in the interest of justice. As such, the application is allowed.

5. The appeal be restored.

6. Registry to note that filing of paper book is dispensed with.

7. Accordingly, the application stands disposed of.

CIVIL APPLICATION (CAO) NO. 755 OF 2024 IN CROSS-OBJECTION (XOB) NO. 22 OF 2014

1. This is an application for condonation of delay of 249 days for bringing the legal heirs of sole cross-objector on record and for setting aside abatement.

2. Perused the application.

3. Heard learned Advocate for both sides.

4. For the reasons stated in the application, the application deserves to be allowed in the interest of justice. As such, the application is allowed. Delay in bringing the legal heirs of sole cross-objector on record is condoned and abatement is set aside.

5. Accordingly, the application stands disposed of.

**CIVIL APPLICATION (CAO) NO. 756 OF 2024 IN
CROSS-OBJECTION (XOB) NO. 22 OF 2014**

1. This is an application for bringing the legal heirs of sole cross-objector on record.

2. Perused the application.

3. Heard learned Advocate for both sides.

4. For the reasons stated in the application, the application deserves to be allowed in the interest of justice. As such, the application is allowed. Permission is granted to bring the legal heirs of sole cross-objector on record.

5. The amendment to be carried out within a period of one week.

6. Accordingly, the application stands disposed of.

(SANJAY A. DESHMUKH, J.)