



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,  
NAGPUR BENCH, NAGPUR.**

**CIVIL APPLICATION (CAO) NO.1296 OF 2024**

**IN**

**MCA ST. NO. 20436 OF 2024**

**IN**

**SECOND APPEAL NO. 84 OF 2018 (D)**

SUPCHAND S/O TARACHAND AGADE (AGALE)

**Vrs.**

SMT. PARVATABAI W/O TARACHAND AGADE AND OTHERS

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

Court's or Judge's Order

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Shri B. M. Kharkate, Advocate for applicant/appellant.

**CORAM: SANJAY A. DESHMUKH, J.**

**DATE : 18/10/2024.**

1. This is an application for condonation of delay of 285 days caused for filing the application for restoration of the second appeal.
2. Perused the application.
3. Heard learned Advocate for the applicant.
4. Learned advocate for the applicant submits that applicant could not deposit costs of Rs.1,000/- in the Court because of miscommunication between them. He submits that delay is not deliberately caused and the application be allowed.
5. From the grounds stated in the application, it appears that delay is not deliberately caused.
6. Considering the poor financial position of the applicant, application deserves to be allowed.

7. Learned advocate for the applicant submits that he will deposit the costs of Rs.1,000/- in the office of Vidarbha Lady Lawyers' Association, Nagpur within a week.

8. Application deserves to be allowed on the condition that the applicant shall deposit Rs.1,000/- in the office of Vidarbha Lady Lawyers' Association, Nagpur within a week.

9. If the costs of Rs.1,000/- is not deposited in the office of Vidarbha Lady Lawyers' Association, Nagpur within a week, application shall be deemed to be rejected.

10. Application is allowed and disposed of.

**MCA ST. NO. 20436 OF 2024**

11. This is an application for restoration of appeal.

12. Perused the application.

13. Heard learned Advocate for the applicant.

14. For the reasons stated in the application and submission of the learned advocate for the applicant, application deserves to be allowed.

15. Application is allowed and disposed of.

**SECOND APPEAL NO. 84 OF 2018**

16. Learned advocate for the appellant seeks leave to file paper book of First Appellate Court in this proceeding.

17. Leave granted.

18. Learned advocate for the appellant shall provide the copy of it to the learned advocate for the respondents.
19. Stand over after four weeks.

[SANJAY A. DESHMUKH, J.]

*Choulwar*