



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 917 OF 2025
IN SAST/18336/2024

Ravindra Bhumanna Narod

VERSUS

Mogalji Dharmaji Narod And Another

• Mr. P. P. Giri, Advocate for the Applicant

CORAM : R. M. JOSHI, J

DATE : JANUARY 29, 2025

PER COURT :

1. This application is for restoration of the Second Appeal, which came to be dismissed for non removal of office objections on 28.08.2024.

2. There is delay of 113 days in filing this civil application for restoration.

3. Learned Counsel for the Applicant submits that even before notices could be issued to the Respondent, application as well as second appeal came to be dismissed. Thus, it is his contention that no notice is required to be issued to the Respondents for restoration thereof.

4. Perusal of the application indicates that the delay is sufficiently explained. Since Appeal was dismissed even before issuance of notice to the Respondents, this Court finds no impediment in allowing the application and restoration of the Appeal. In any case, burden is on the Appellant to satisfy this Court that there exists substantial question of law before any further order could be passed. Hence, application is allowed in terms of prayer clauses 'B' and 'C'.

(R. M. JOSHI, J.)