

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.5192 OF 2024

Rajlaxmi Panditrao Jamsandekar

Through POA holder

Shri. Vijay Atmaram Yadav

....Petitioner

versus

Rasmina Construction Pvt. Ltd. & Anr.

....Respondents

Mr. Sanjay Kshirsagar a/w Mr. Rahul Shinde, Advocate for the
Petitioner.

None for the Respondents.

CORAM : ASHWIN D. BHOBE, J.

DATE : 17th MARCH, 2025

P.C. :-

1. Mentioned at 5.00 p.m. by Advocate Mr. Sanjay
Kshirsagar.

2. Heard learned Advocate appearing for the Petitioner.

3. Challenge in the present petition is to the order dated 28th September, 2021 passed by 11th Joint Civil Judge Senior Division, Kolhapur in Miscellaneous Application No.100 of 2020 by which the learned Civil Judge has condoned a delay of 9 years and 5 days caused in filing restoration application of Regular Civil Suit (RCS) No.881 of 1999. Learned Advocate for the Petitioner submits that Respondent No.1 had failed to make out any cause, much less, any sufficient cause to seek indulgence of the Court to condone such an enormous delay of 9 years and 5 days.

4. Learned Advocate for the Petitioner points out Paragraph No.13 in the petition memo for the delay caused in approaching this Court against the impugned order dated 28th September, 2021.

5. Issue notice to the Respondents, returnable on 15th April, 2025.

6. In addition to the regular mode, Petitioner to take steps to serve the Respondents by all permissible modes including private service and file an affidavit of service before the next date of

hearing.

7. Stand Over to 15th April, 2025.

(ASHWIN D. BHOBE, J.)