

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 11672 OF 2024
IN
FIRST APPEAL (ST.) NO. 1754 OF 2020
WITH
FIRST APPEAL (ST.) NO. 1754 OF 2020**

Vimlesh Inderchand Thakur and Ors. Applicants

V/s.

Shri. Manoj Ganesh Patil and anr. Respondents

Mr. Sairaj Dable i/b. Ms. Priyanka Dable for the Applicants.

CORAM : SHYAM C. CHANDAK, J.

DATED : 16th APRIL, 2025

P.C. :-

. Present Application seeking condonation of 170 days delay in filing this Application and restoration of the aforesaid Appeal.

2) It appears that as the Advocate on record failed to supply copies of the Appeal and Interim Application to the Registry on time, the Appeal and Interim Application No.2438 of 2010 came to be dismissed *vide* conditional Order dated 16/01/2024. However, the litigants cannot be made to suffer for the same.

3) In view thereof and since delay is not huge, the Application is allowed. The delay of 170 days in filing the aforesaid Application is condoned. The Order dated 16/01/2024 passed by the Registrar (Judicial-II) is set-aside.

4) Interim Application stands disposed of.

ORDER IN FIRST APPEAL (ST.) NO. 1754 OF 2020 :-

- 5) Learned Advocate for the Applicants/Appellants undertakes to supply copies of the Appeal and Interim Application to the Registry within two weeks from today, for service of notice to the Respondents.
- 6) Stand over to **30th April, 2025.**

(SHYAM C. CHANDAK, J.)

**PREETI
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