



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

CIVIL APPLICATION (CAO) NO. 488 OF 2023

IN

CIVIL APPLICATION (CAO) NO. 362 OF 2022

IN

M.C.A. (ST) NO. 15478 OF 2021

IN

SECOND APPEAL NO. 93 OF 2013 (D)

Hasan Chhatu Parsuwale

Vs.

Buddu Chandu Parsuwale and Ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. A.J. Thakkar, Advocate for applicant.

CORAM : ROHIT W. JOSHI, J.

DATE : 11.12.2025

It is stated in the application that respondent No.2 has expired and that he is survived by respondent Nos.1 & 3 as his legal representatives.

2. Accepting the statement made in the civil application, permission granted to delete the name of respondent No.2 from the array of parties. Necessary amendment be carried out forthwith. Civil application is disposed of.

Civil Application (CAO) No. 362/2025

Second Appeal No.93/2013 came to be dismissed in default on account of failure on the part of appellant to file private paper-book on record. The appellant is prosecuting the litigation diligently since the year 2001. There is no reason to infer that failure to file private paper-book is deliberate.

2. It is also pertinent to mention that second appeals of year prior to 2013 are also pending for final adjudication. In that view of the matter, application for condonation of delay in filing restoration is allowed.

3. For the same reasons, MCA (St.) No.15478/2021 is allowed. Second Appeal No.93/2013, is restored to file.

4. Issue fresh notice to the respondent Nos.1 and 3 in Second Appeal No. 93/2013, indicating that the matter will be taken up for final hearing.

5. Time for filing private paper-book is extended up to 31.12.2025.

6. Civil Applications and Misc. Civil Application are allowed and disposed of accordingly.

(ROHIT W. JOSHI, J.)