



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

CIVIL APPLICATION (O) NO.31 OF 2025
IN
MISC. CIVIL APPLICATION STAMP NO.12523 OF 2024
IN
SECOND APPEAL NO.212 OF 2013 (D)

(Gajanan s/o Krishnaji Nandurkar Vs. Shamrao Krishnaji Nandurkar (deceased) thr.
LR's Gopal s/o Shyamrao Nandurkar and others)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Mr. Madhur Deo, Advocate for Applicant.

CORAM: SMT. M. S. JAWALKAR, J.
DATE: 14th JANUARY, 2025.

The application is filed for condonation of delay in filing application for restoration, there is delay of 26 days. The applicant is aged 82 years. He has further given additional reasons in para nos.6, 7 and 8. In view of the reasons stated, I am satisfied that there is no intention for prolonging the matter and there is sufficient cause to condone the delay. As such, delay in filing application is hereby condoned.

2. Application stands disposed of.

3. Registry is directed to register the Misc. Civil Application Stamp No.12523/2024.

MISC. CIVIL APPLICATION STAMP NO.12523/2024:

For the reasons stated in the application, the order passed on 06.05.2024 is hereby recalled. Though it appears from the order that notice has been issued to the applicant by the earlier counsel, however, due to change in place for four years, he did not receive the same. However, it is a fault on the part of applicant that he has not informed to the learned counsel about his changed address. As such, I am inclined to allow the application subject to costs of Rs.10,000/- as no due diligence is shown by the applicant. The costs shall be paid to the Vidarbha Lady Lawyers Association, Nagpur within a period of two weeks.

2. The Registry is directed to restore the second appeal on its original number, after due receipt of costs.

JUDGE