



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

CIVIL APPLICATION NO. 1038 OF 2025 IN
MISC. CIVIL APPLICATION ST. NO. 17291/2025 IN
FIRST APPEAL NO.1259 OF 2018(D)

IFFCO Tokio General Insurance Co. Ltd.

..vs..

Shri Keshao s/o Ganpati Malekar and anr.

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

Court's or Judge's orders

Shri A.M. Kukday, Advocate for the applicant.
Shri M. Deo, Advocate for respondent no.1.

CORAM: PRAVIN S. PATIL, J.
DATED : 15/09/2025.

Heard.

2. By this application, the applicant is seeking condonation of 899 days in filing the restoration of application of the appeal.

3. The applicant stated that earlier one another Counsel was entrusted with the matter, however he did not take appropriate steps to remove the office objection within time as a result, the matter was dismissed.

4. Thereafter, the Company got knowledge about the dismissal of the matter. They have engaged the present Counsel in the matter.

5. However, learned Counsel for respondent nos. 1 had appeared in the matter, on instructions, vehemently opposed the application stating the reasons put-forth in the application is not sufficient to condone the delay.

6. Considering the reasons stated in the application, the application is allowed. Delay stands condoned.

MISC. CIVIL APPLICATION ST.NO.17291 OF 2025

7. Heard.

8. For the reasons stated in the application, the application is allowed. Order passed by this Court on 01.12.2022 is hereby set aside.

9. Office is directed to restore the first appeal, on its original stage.

FIRST APPEAL NO. 1259/2018

10. Both the learned Counsel jointly stated that the matter being old, same can be taken up for final disposal.

11. As such, Call Records and Proceedings.

12. List the matter for final disposal after receipt of R& P.

(PRAVIN S. PATIL, J.)

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