



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

**CIVIL APPLICATION (CAO) NO. 1416 OF 2024
IN
MISC. CIVIL APPLICATION STAMP NO. 17383 OF 2023
IN
FIRST APPEAL NO. 1438 OF 2017(D)**

(The National Insurance Co Ltd, Nagpur Vs. Smt. Harsha wd/Milind Utane and ors)

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

Court's or Judge's orders

Mr. A.W. Paunikar, Advocate for the applicant.

Mr. Jain, Advocate h/f Mr. M.R. Johrapurkar, Advocate for respondent Nos. 1 to 3.

CORAM : ABHAY J. MANTRI, J.

DATED : 30-06-2025

**CIVIL APPLICATION (CAO) NO. 1416 OF 2024
IN
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Heard.

2. Applicant/appellant moved this application for condonation of delay of 200 days caused in filing M.C.A. for restoration of the appeal and restoration of the appeal.

3. Learned counsel for the applicant submitted that the first appeal was dismissed for non-filing of a private paper book within the stipulated time. He further submits that the private paper book is now ready and shall be filed within a week. His statement is accepted. It is further submitted that a cross-objection/appeal is pending. The learned counsel for respondent Nos. 1 to 3 has no objection if the delay is condoned and the appeal is registered. Though respondent Nos. 4 to 6 are served, none appear on their behalf.

4. Considering the reasons stated in the application as well as the fact that a cross objection is pending and the no objection, both applications are allowed. A delay of 200 days in filing the MCA for the restoration of the appeal is condoned. Accordingly, the appeal be

restored to its original file subject to the filing of a paper book within the stipulated time.

(ABHAY J. MANTRI, J.)

Belkhede