



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

CIVIL APPLICATION (CAO) NO.233 OF 2025
WITH MISC. CIVIL APPLICATION (STAMP) NO.18705 OF 2024
IN
FIRST APPEAL NO.949 OF 2023 (D)

MOHD. SALIM ABDUL RAUF SIDDIQUI AND OTHERS
VERSUS
 STATE OF MAHARASHTRA, THROUGH COLLECTOR, YAVATMAL AND
 OTHERS

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. S.S. Deshpande, Advocate for Applicants.
 Mr. N.S. Autkar, AGP for Respondent Nos.1 & 2-State.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATED : 14th NOVEMBER 2025

1. Heard learned Advocate for the applicants.
2. This is an application for condonation of delay in filing the application for restoration of appeal, which was dismissed in default for failure to file the private paper book.
3. It is submitted that there is delay of 75 days in filing the restoration application, which occurred because the appellant was not aware about the conditional order passed by this Court.
4. Having regard to the contents of the application and submissions advanced, the application is allowed and the delay of 75 days is condoned, however, subject to costs of Rs.2,000/- (Rupees Two Thousand Only) to be paid by the applicant to the Vidarbha Lady

Lawyers' Association, Nagpur, within a period of two weeks from today.

5. The civil application is accordingly disposed of.

MISC. CIVIL APPLICATION (STAMP) NO.18705 OF 2024

6. This is an application for restoration of first appeal, which is dismissed in default by order dated 10.06.2024, for failure to file the private paper book within stipulated period.

7. Learned Advocate for the applicants submits that the applicants/appellants want to contest the appeal on merits and therefore, he seeks restoration of first appeal.

8. Considering the reasons mentioned in the application and submissions advanced, the application for restoration of first appeal is allowed and the order of dismissing the appeal is quashed and set-aside. The appellants are directed to file the private paper book within a period of two weeks from today. On filing of the same, the first appeal be restored.

9. In view of the above, the miscellaneous civil application is disposed of.

(PRAFULLA S. KHUBALKAR, J.)

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