



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

Civil Application [CAO] No.999 of 2025
in
Civil Application [MCA] St. No.19412 of 2025
in
Second Appeal No.504 of 2006 (D)

Shri Shivaji Ramaji Kale
vs.
Shri Sakharam Baliram Borchate

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

Court's or Judge's Orders

Mr. S.S. Shinde, Advocate for the Applicant/Appellant.

CORAM : **ROHIT W. JOSHI, J.**
DATE : **14th NOVEMBER, 2025.**

Heard.

02. This is an application seeking condonation of delay of 16 days in filing the application for restoration of second appeal. Although the non-applicant is served, he has not entered appearance in the matter.

03. The delay is properly explained. The applicant is prosecuting the appeal diligently since the year 2006.

04. In view of the above, the delay caused in filing the application for restoration of second appeal is condoned. The application is allowed and disposed of accordingly.

Civil Application [MCA] St. No.19412 of 2025:

For the reasons mentioned in the application, the application for restoration of second appeal is allowed. The second appeal is restored to file.

Second Appeal No.504/2006 :

Issue fresh notice to the respondent, returnable on 12th December, 2025.

02. The appellant is directed to serve the respondent by Speed Post in addition to regular mode of service and to file affidavit of service on record before the returnable date.

03. Interim order granted on 10/03/2008 shall continue to operate.

04. Hamdast granted.

JUDGE

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