



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

CIVIL APPLICATION (CAO) NO 225 OF 2025

AND

MISC. CIVIL APPLICATION /2024

IN

FIRST APPEAL NO. 179 OF 2018

(Jagdeo s/o Narayan Wankhade and anr Vs. Gajanan s/o Tyambakappa Lamdhade and anr)

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

Court's or Judge's orders

Ms. Astha Sharma, Advocate h/f Mr. Agrawal, Advocate for appellants.
Ms. Alpana Ingolikar, Advocate h/f Ms. Naik, Advocate for respondent No. 2.

CORAM : ABHAY J. MANTRI, J.

DATED : 18-07-2025

Heard.

2. The appellants/applicants have filed these applications to condone the delay in filing the application for restoration of the appeal, which was dismissed for non-filing of the paper book, and for restoration of the appeal.

3. Learned counsel for the respondent, though, objected to the condonation of delay; however, I do not find substance in it. On the contrary, considering the reasons disclosed in the applications and the fact that in the bunch of matters, this Court has passed an order to file a paper book. However, the counsel for the applicants was unable to mark the matter, and therefore, they were not aware of the order; hence, a delay has occurred. In view of the same, applications are allowed as prayed. The delay in filing the application for restoration is condoned, as well as the appeal is restored. The applicants undertake to file copies of deposition and exhibited documents on record; therefore, they seek dispensation from filing a paper book. The prayer is accepted. Filing of paper book is dispensed with.

4. List the matter after four weeks.

(ABHAY J. MANTRI, J.)

Belkhede