



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

CIVIL APPLICATION (CAO) NO. 83 OF 2025
IN
MISC. CIVIL APPLICATION (ST.) NO. 23528 OF 2024
IN
WRIT PETITION NO. 1966 OF 2022 (D)

Jyoti Shikshan Prasarak Mandal, Akola and another
..VS..
Gajanan S/o Totaram Tamaskar and two others

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

Court's or Judge's orders

Mr. J. B. Gandhi, Advocate for applicant.
Ms. Deepa Charlewar, AGP for respondent Nos.2 and 3.

CORAM : SMT. M.S. JAWALKAR, J.
DATED : 20th FEBRUARY, 2025

1. The present application is filed for condonation of delay of 755 days caused in filing restoration application.
2. In spite of service, respondent No.1 contesting party failed to give his appearance.
3. It is contended that the Management was not having the required funds as per the directions of this Court, however, in execution proceedings filed by respondent No.1, the entire decree is satisfied. The Management was communicated with the Education Officer in respect of proposal of respondent No.1.
4. Learned Assistant Government Pleader opposed the application contending that there is no sufficient and reasonable caused for not filing restoration application within the stipulated period. Learned Assistant

Government Pleader submitted that there was certain deficiency in the proposal and Management is required to be complied the same.

5. In view of this position, I am satisfied that there is sufficient cause for not filing application for restoration in the stipulated period.

6. As such, the civil application is allowed. The delay of 755 days caused in filing application for restoration is hereby condoned.

7. The Registry is directed to register the Misc. Civil Application (Stamp) No.23528/2024.

MISC. CIVIL APPLICATION (ST.) NO. 23528 OF 2024

1. After registration of the restoration application, issue notice to the respondents, returnable on **13.03.2025**.

2. Ms. Deepa Charlewar, learned Assistant Government Pleader waives service of notice on behalf of respondent Nos.2 and 3.

(SMT. M.S. JAWALKAR, J.)