



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

CIVIL APPLICATION (CAO) NO 1346 OF 2025
IN
MISC. CIVIL APPLICATION (ST) NO. 25312 OF 2025
IN
SECOND APPEAL NO. 343 OF 2007

Lawrie Peter Gregory (dead) Thru. LRs
Vs.
Amarnath s/o Bachairam Gupta and Ors.

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

Court's or Judge's Orders.

Mr. Salim I. Khan, Advocate for applicants.

CORAM : ROHIT W. JOSHI, J.

DATE : 11.12.2025

The present civil application is filed seeking condonation of delay of 2235 days in filing application for review of judgment dated 07.09.2017 passed by this Court in Second Appeal No.343/2007.

2. It is stated that the appeal was decided exparte against the present applicants. It is alleged that the applicants have engaged an Advocate to represent them in the Second Appeal, however, the learned counsel did not enter appearance, and the appeal was decided without hearing the applicants.

3. The perusal of the application will demonstrate that, according to the applicants, they came to know about the decision in the second appeal in the year 2019, upon receiving notice of execution proceedings from the learned executing Court. It is stated that shortly thereafter, Covid-19, restrictions were imposed, as a consequence of which, the application for review could not be filed immediately.

4. The perusal of the application will demonstrate that the same is silent with respect to the exact date or even tentative period in the year 2019, wherein the applicants allegedly came to know about the judgment sought to be reviewed.

5. It will also be pertinent to state that limitation in view of Covid-19 restrictions was extended by the Hon'ble Supreme Court up to February, 2022. There is no plausible explanation for delay beyond February 2022. The application is dated 03.11.2025. There is a delay of around 43 months, even if after February, 2022 i.e. the extended period of limitation as per orders of the Hon'ble Supreme Court.

6. In view of above, no case is made out for condonation of delay. Application for condonation of delay is therefore, rejected.

(ROHIT W. JOSHI, J.)