



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

WRIT PETITION NO.3891 OF 2024

Suvarnrekha D/o. Narayanrao Deshmukh and Others
Vs.
Akola Urban Co-operative Bank Limited, Akola

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. N.Z. Mirza, Advocate for the Petitioners.
Mr. V.R. Deshpande, Advocate for the Respondent Sole.

CORAM: SIDDHESHWAR S. THOMBRE, J.

DATED : 16th OCTOBER, 2025

1. Heard Mr. N.Z. Mirza, learned counsel for the petitioners and Mr. V.R. Deshpande, learned counsel for the respondent.
2. The petition is directed against the order dated 16.01.2020 passed by the State Consumer Disputes Redressal Commission, Circuit Bench, Nagpur in First Appeal No.a/10/07. An application was filed by the petitioner for condonation of delay in bringing the legal representatives on record which was rejected by the learned Commission on the ground that despite of granting sufficient opportunity none appeared for the petitioner and on the ground of delay appeal was abated. The application for condonation of delay in bringing legal heirs on record is still pending.
3. Learned counsel for the petitioner submits that the said application is still pending and only because of

that application, the proceedings are abated and therefore, he prays to set-aside the order.

4. Learned counsel for respondent No.1 submits that the petitioner cannot take the authorities for granted and the pending application for bringing the legal heirs on record, was not prosecuted diligently and therefore, the proceedings were abated.

5. Considering the fact that the matter was not decided on its merits, an opportunity needs to be granted to the petitioner to contest the matter on merits. In view thereof, the present writ petition is **partly allowed**. Order dated 16.01.2020 passed by the State Consumer Disputes Redressal Commission, Circuit Bench, Nagpur in First Appeal No.a/10/07 is hereby quashed and set-aside, subject to cost of **Rs.10,000/- (Rupees Ten Thousand Only)** which shall be deposited to the High Court Bar Association, High Court of Judicature at Bombay, Nagpur Bench, Nagpur, within a period of two weeks from today.

(SIDDHESHWAR S. THOMBRE J.)

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