



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

CIVIL APPLICATION [CAO] NO. 30/2025
IN MISC. CIVIL APPLICATION ST. NO. 19392/2024
IN SECOND APPEAL NO. 315/2017.

Adaku Ramsu Usendi and others.

-VERSUS-

Sau.Minko Kashiram Narote and others.

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

Court's or Judge's Orders

Shri V.R. Thote, Advocate for the Applicants.
Shri V.N. Morande, Advocate for Non-applicant No.1.
None for Non-applicant Nos.2 to 4.

CORAM : ROHIT W. JOSHI, J.

DATE : MAY 02, 2025.

Heard.

2. Second Appeal No.315/2017 which was admitted on substantial questions of law, came to be dismissed in default on account of failure on the part of the appellants to file private paper book on record. The Second Appeal is of the year 2017 and appeals of earlier years are still pending for final hearing. In that view of the matter, although there is delay, the same has not adversely affected final hearing of the appeal.

3. Having regard to the aforesaid, I am inclined to condone the delay caused in filing application for restoration of the appeal. Civil Application is accordingly allowed and disposed of.

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Misc. Civil Application St.No.19392/2024.

For the aforesaid reasons, Misc. Civil Application is also allowed. Second Appeal is restored back to file.

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Second Appeal No.315/2017.

The learned Counsel for appellants makes a request that he may be permitted to file copy of paper book prepared in the first appeal along with copy of judgment delivered by the learned First Appellate Court, and filing of private paper book may be dispensed with.

2. The prayer is reasonable and is allowed. Appellants are directed to file copy of paper book prepared in Regular Civil Appeal o.44/2007 along with copy of judgment and decree dated 13.02.2014 passed in the said appeal. Upon such compliance, filing of

private paper book is dispensed with. The appeal be listed for hearing in due course.

JUDGE