



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

CIVIL APPLICATION (CAO) NO. 23 OF 2025
WITH
CIVIL APPLICATION (CAW) NO. 62 OF 2025
IN
WRIT PETITION NO. 739 OF 2021

(Savitribai wd/o Ratanlal Khandelwal & Anr.

Vs.

Rajeshwari Aniruddha Malviya & Anr.)

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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Ms. Aastha R. Sharma, Advocate for the Petitioners.

CORAM: ABHAY J. MANTRI, J.

DATED : 9th JANUARY, 2025

Heard.

2. By these Applications, the Petitioners are seeking condonation of delay of 788 days caused in filing the Application for restoration of the Writ Petition against the Respondent No.2. It seems that the Registrar (Judicial) on 30.09.2022 passed the conditional order directing the Petitioners to take the proper steps to provide correct address of the Respondent No.2 within two weeks, else the Writ Petition shall stand dismissed against her without further reference to the Court. Pursuant to the said order, on 14.10.2022, the Writ Petition was dismissed against Respondent No.2, and therefore, the Petitioners had moved these Applications for restoration of the Petition against Respondent No.2 by condoning the delay caused in filing the

Application for restoration of Petition against the Respondent No.2.

3. Considering the reasons stated in both Applications, I deem it appropriate to allow both as the Petition is yet to be admitted. If the name of the Respondent No.2 is restored to its original position, then it would not cause prejudice to the other side.

4. In view of the same, both Applications are **allowed**. The delay caused in filing the Application for restoration of the Petition is condoned. The order dated 14.10.2022 dismissing the Petition against Respondent No.2 is set aside, and the name of Respondent No. 2 is restored to its original position.

5. Civil Application (CAO) No. 23/2025 and Civil Application (CAW) No.62/2025 are disposed of.

CIVIL APPLICATION (CAW) NO. 34/2023

For the reasons stated in the Application, the application is **allowed** as prayed.

2. Civil Application (CAW) No.34/2023 is disposed of.

3. The Petitioners are permitted to correct the address of Respondent Nos. 1 and 2 forthwith.

4. After correcting the address, issue a fresh notice to the Respondents, returnable in **four weeks**.

(ABHAY J. MANTRI, J.)