



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

CIVIL APPLICATION (CAO) NO. 1048 OF 2024
IN
MISC. CIVIL APPLICATION (STAMP) NO. 9567 OF 2024
IN
SECOND APPEAL NO. 465 OF 2019 (D)

Smt. Subhadrabai Wd/o Shrawanji Dhoble and others
..VS..
Shri Rama S/o Jairamji Dhoble

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

Court's or Judge's orders

Mr. S.A. Dutonde, Advocate for applicants/appellants.

CORAM : SMT. M.S. JAWALKAR, J.
DATED : JANUARY 21, 2025

1. Heard.
2. The present application is filed for condonation of delay in filing application for restoration of Second Appeal No.465/2019.
3. The delay of 60 days is caused as claimed by the applicant that name of Counsel was not properly mentioned in the Cause List and, therefore, he could not located his name in the cause list. There was certain direction to place on record some documents however, when matter was called out, he was not present for the reasons stated above.
4. In spite of service, respondent is absent.
5. I am satisfied that there is no intentional delay for filing of restoration application. Hence, the application is

allowed and delay of 60 days caused for filing of restoration application is condoned.

6. The Registry is directed to register the Miscellaneous Civil Application (restoration) on the record.

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7. This is an application for restoration of Second Appeal No.465/2019.

8. The reasons mentioned in the application for condonation of delay are of the same for filing of restoration application. Learned Counsel for the applicant placed on record a copy of Cause List, which shows that the complete spelling is not written there.

9. As such, the application is **allowed**. The order dated 06.02.2024 is hereby recalled.

10. The Registry is directed to restore the Second Appeal No.465/2019 on its original stage.

11. After restoration of the Second Appeal No.465/2019, issue notice to the respondent intimating that the matter is restored and it be heard after two weeks.

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12. List the matter on **04.02.2025**.

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