

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

CIVIL APPLICATION NO.1047 OF 2015

IN

MISC. CIVIL APPLICATION ST. NO.3956 OF 2015 IN CIVIL APPLICATION
NO.8786 OF 2007 IN CIVIL REVISION APPLICATION NO.126 OF 2008

(Shri Vishwas s/o Krushnarao Jadhav ..vs.. Shri Govinda s/o Raghunath Lande (deceased) through his
L.Rs. 1-A. Smt. Mainaba Govinda Lande and others)

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

Court's or Judge's orders

CORAM : Z.A. HAQ, J.

DATED : 31-08-2016

Heard Shri Yogesh Shukla, Advocate for the
applicant.

Regular Civil Appeal No.137/1993 filed by the applicant before the District Court was dismissed in default. The applicant had filed an application before the District Court praying that the appeal be restored. This application was dismissed on 05-07-2004. The applicant challenged the order dated 05-07-2004 by filing the civil revision application before this Court on 16-08-2007. There was delay of about 1047 days in filing the civil revision application and therefore Civil Application No.8786/2007 praying that the delay be condoned was filed. The civil application was dismissed in default on 10-04-2008. The applicant filed an application praying that the Civil Application No.8786/2007 (praying for condonation of delay in

filing the civil revision application) be restored. There is delay of about 2482 days in filing the application for restoration and therefore, the present civil application is filed. The delay of 2482 days is explained stating that the applicant performed marriages of his to daughters in 2011 and 2014 and therefore, he could not attend the present proceedings.

The explanation given by the applicant cannot be said to be sufficient cause on the basis of which the inordinate delay can be condoned. The application is dismissed. No costs.

Consequently the other applications are rejected.

JUDGE

adgokar

CERTIFICATE

I certify that this Order uploaded is a true and correct copy of original signed Order.

Uploaded by : P.M. Adgokar.

Uploaded on : 02-09-2016.

P.A. to Hon'ble Judge.