



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO.11037 OF 2025
IN SECOND APPEAL ST. NO.13280 OF 2019
IN REJECTED CASE NO.673 OF 2020**

...
**CHANDRABHAGABAI W/O. BALA AUTI [DIED]
THROUGH HER L.RS. DNYNDEO BALA AUTI & OTHERS
VERSUS
INDUBAI BAPU RITHE [DIED]
THROUGH LRS. CHANDRAHANS BAPUR DESHMANE &
OTHERS**

...
Advocate for the applicants : Mr.S.S.Bora h/f.
Mr.V.S.Badakh

...
**CORAM : MEHROZ K. PATHAN, J.
DATE : 05.02.2026**

P.C. :

1] The learned counsel for the applicants submits that vide conditional order dated 05.02.2020, one week time was granted to remove office objections in the Second Appeal. Due to covid period, the matter was missed down and as such the learned counsel could not remove the office objections within stipulated period of one week. Since covid period was extended, the learned counsel inadvertently lost the sight of the fact about any conditional order was passed in the present Second Appeal, hence, there is delay of 2045 days in filing the restoration application, prayer made to condone delay and restore the Second Appeal.

2] Thus, for the reasons stated in the Civil Application, particularly in para nos.4 and 7 of the application, delay is condoned subject to cost of Rs.25,000/- to be paid to the Deogiri Kalyan Ashram, Account No.06023009470, Jalgaon Janta Co-operative Bank, Branch Deopur, Dhule.

3] The aforesaid cost shall be paid within a period of two weeks and receipt thereof shall be placed on record.

4] Upon deposit of the aforesaid amount, the Second Appeal shall be restored to the file of this Court.

5] The learned counsel for the applicants undertakes to remove office objections within a period of two weeks thereafter.

6] The Registry is directed to reconstruct the Second Appeal Stamp No. 13280 of 2019 with the documents, which shall be supplied by the learned counsel for the appellants within a period of two weeks thereafter.

7] Civil Application is disposed of accordingly.

[MEHROZ K. PATHAN]
JUDGE