

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

**CIVIL APPLICATION (CAO) NO.708 OF 2014  
AND  
MISC. CIVIL APPLICATION STAMP NO.7358 OF 2014  
IN  
FIRST APPEAL NO.79 OF 2014**

(Shyamsunder s/o Bhikulal Rathi and others ..vs.. State of Maharashtra, through its Collector, Amravati and others)

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

**CORAM : Z.A. HAQ, J.**  
**DATED : 16-1-2015**

Heard Shri Mahalle, the learned Advocate holding for Shri J.B. Gandhi for the applicants.

The applicants have filed the miscellaneous civil application praying for restoration of the first appeal which was dismissed in default as per the order passed by the learned Registrar, for non-removal of office objections within the stipulated time. As there is delay in filing the miscellaneous civil application, the application is filed praying for condonation of delay. As the appeal was dismissed before the registration, without issuing notice to the non-applicants, the civil application and the miscellaneous civil application are considered.

For the reasons stated in the civil application and the miscellaneous civil application, they are allowed. The delay in filing the miscellaneous civil application is condoned. The appeal filed by the applicants is restored.

The appellants shall remove the office objections within four weeks, failing which the appeal stand dismissed without reference to the Court.

**JUDGE**

*pma*