

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

CIVIL APPLICATION NO. 3721 OF 2017  
IN RC/1307/2015

DAYARAM BHAGIRATH PATIL DIED LRS. ESHWAR DAYARAM PATIL  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS

...  
Advocate for Applicant : Mr. Mangesh G. Patil h/f. Mr. Nagori Girish  
AGP for Respondents No.1, 2 : Mr. A. D. Namde.  
...

**CORAM : K.K. SONAWANE, J.**

**DATED : 17<sup>TH</sup> JANUARY, 2018.**

**Order :-**

Heard learned counsel for applicant and learned AGP for respondent No.1 and 2. When the matter is called out, none appears for respondent No. 3 - Acquiring Body.

2. Perused the application. The present application is filed for restoration of proceedings of First Appeal (St) accompanied with application for condonation of delay. The registration of appeal came to be refused for not removing the office objections notified by the Registrar. The learned counsel for applicant contends that he will remove the office objections within two weeks and an opportunity may be granted to the applicant to pursue the appeal and civil application for condonation of delay.

3. In view of nature of subject matter and reasons mentioned in the application, there is no impediment to extend one more opportunity to the applicant for substantial justice into the matter. Accordingly, application is allowed in terms prayer clause 'B' and 'C'. The delay caused for filing present application is hereby condoned. The impugned order of refusal of registration regarding First Appeal (Stamp) No. 10144 of 2014 passed by Registrar dated 27-10-2015 is hereby recalled. The proceedings of the appeal be restored at it's

original stage subject to condition that applicant to remove all office objections within period of two weeks after restoration of proceedings at it's original stage, failure to which, present order shall stand cancelled automatically without further reference to this Court. Registry to take requisite steps for further process.

4. The application stands disposed of in above terms of accordingly.

**[ K. K. SONAWANE ]**  
**JUDGE**

rrd.