

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

CIVIL APPLICATION NO.578/2018 IN MC.C.A (St) No.6765/2017 IN
FIRST APPEAL ST. NO.17508/2015

Taravbai Vitthalrao Adekar ..vs.. State of Maharashtra through its
Collector, Yavatmal and Ors.

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

Court's or Judge's orders.

Mr. M. V. Bute, Advocate for applicant.
Mr. A. Balpande, A.G.P. for non applicants-State.

CORAM : V.M. DESHPANDE, J.
DATED : AUGUST 21, 2018

1. Heard Mr. Bute, learned counsel for the applicant and Mr. Balpande, learned A.G.P. for non applicant nos. 1 to 3. The appeal was filed by the applicant, challenging the judgment and award dated 23.08.2012 passed by learned Civil Judge Senior Division, Yavatmal in Land Acquisition Case No.181/2007. The said appeal was barred by limitation, therefore, an application for condonation for delay was also filed. Prior to issuance of notice on the said application for condonation of delay, for non removal of office objections, the Registrar (Judicial), vide order dated 08.12.2015, refused the registration.

2. In view of aforesaid fact, the Misc. Civil Application Stamp No.6765/2017 for restoration of appeal is filed. The said application is also barred by limitation and therefore the present application i.e. Civil Application No.578/2018 is filed. This application for condonation of delay and application for restoration is having affidavit of Mr.Mangesh Butey, Advocate. For the reasons stated in the application, I

am satisfied that the applicant has made out a case for condonation of delay and restoration of the appeal and the application.

3. Consequently, Civil Application No.578/2018 is allowed. Delay in filing the application for restoration of the appeal is condoned. Similarly, Misc. Civil Application Stamp No.6765/2017 is also allowed. The first appeal is restored to file along with application for condonation of delay. The learned counsel to remove the office objections in the civil application and the first appeal within a period of 10 days from today, positively.

With this, the applications are disposed of.

JUDGE

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