

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

CIVIL APPLICATION (CAO) NO.570/2018

ALONG WITH

MCA ST.NO.7779/2017

IN

FA ST.NO.10982/2009

Ashokkumar Madangopal Chaudhary

..VS..

State of Mah., thr. Collector, Amravati and ors

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

Court's or Judge's Order

.....  
Shri M.K. Kulkarni, Counsel for the applicant.  
Shri M.A. Kadu, AGP for non-applicant Nos.1 and 2.

**CORAM : V.M. DESHPANDE, J.**

**DATED : AUGUST 24, 2018.**

1. Heard learned counsel Shri M.K. Kulkarni for the applicant and learned Assistant Government Pleader Shri M.A. Kadu for non-applicant Nos.1 and 2.
2. In my view, looking to the fact that the first appeal filed on behalf of the applicant was dismissed even prior to issuance of notices to the present non-applicants, in view of the order passed by the Registrar, the presence of non-applicant No.3 is not essential.
3. The civil application is required to be moved since there is a delay of 2766 days in moving an application for restoration of the first appeal dismissed for non-removal of office objections.
4. Both the applications are duly affirmed by Shri Madhav Krishnarao Kulkarni, learned counsel for the applicant

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himself.

5. For the reasons stated therein in both the applications, the applications are allowed. Delay in moving the application for restoration of the first appeal is hereby condoned. The first appeal stamp is restored to file.

6. Learned counsel for the applicant to remove the office objections within a period of two weeks from today.

7. Both the applications are disposed of accordingly.

**JUDGE**

!! BRW !!

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