

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

CIVIL APPLICATION (CAO) NO.1310/2018

IN

MCA ST.NO.14841/2018

IN

FA ST.NO.12274/2015

Manik Ramji Ganjare

..VS..

The State of Mah., thr. Collector, Yavatmal, District Yavatmal and ors

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

Court's or Judge's Order

.....
Shri D.M. Upadhye, Counsel for the applicant.
Shri M.A. Kadu, Counsel for non-applicant No.3.
Shri H.D. Dubey, AGP for non-applicant Nos.1 & 2.

CORAM : MRS. SWAPNA JOSHI, J.

DATED : JULY 30, 2018.

1. This is an application for condonation of delay of 1017 days caused in filing an application for restoration of the first appeal which was dismissed in default by the Registrar of this Court on 15.9.2015 for non-removal of office objections.
2. Heard learned counsel for the parties.
3. For the reasons stated therein, the application is allowed. Delay of 1017 days caused in filing the application for restoration of the first appeal is condoned subject to payment of costs of Rs.500/- to be deposited with the Vidarbha Lady Lawyers' Association. The civil application stands disposed of accordingly.

MCA ST.NO.14841/2018

1. Heard.

2. This is an application for restoration of the first appeal which was dismissed in default by the Registrar of this Court on 15.9.2015 for non-removal of the office objections.

3. Learned counsel for the applicant contended that the applicant has filed the first appeal before this Court against the judgment and decree dated 29.4.2006 passed by learned 4th Ad hoc Additional District Judge at Yavatmal in LAC No.355/2003. It is submitted that the matter was listed before the Registrar of this Court on 15.9.2015 for compliance of the office objection. However, due to over sight, the matter could not be noted and it was dismissed in default for non-removal of the office objections. Learned counsel for the applicant submitted that within a period of one week from today he will remove the office objections. He therefore prayed that in the interest of justice, the application be allowed.

4. In view of the facts and circumstances of the case, the Misc. Civil Application is allowed. Order dated 15.9.2015 passed by the Registrar of this Court is hereby set aside. The First Appeal Stamp is restored. The Misc. Civil Application stands disposed of accordingly.

JUDGE

!! BRW !!

...../-