

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

CIVIL APPLICATION (CAO) NO.61/2017
AND
MCA ST.NO.22049/2016 (FOR REVISION)

IN
REJ. W.P.NO.510/2016
Ramesh Ramrao Lande and ors

..VS..

Smt. Anusaya Kisanrao Deshmukh, Akola and ors

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

Court's or Judge's Order

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Shri P.B. Patil, Counsel for the applicants.

CORAM : V.M. DESHPANDE, J.
DATED : SEPTEMBER 25, 2018.

1. The applicants filed a writ petition challenging order dated 16.11.2015 passed by learned Member of the Maharashtra Revenue Tribunal, Nagpur. The said writ petition was on stamp as Stamp No.7437/2016. The writ petition was under certain office objections. In spite of the time granted to remove the office objections, the said remained to be removed. Consequently, stamp to the writ petition was refused.
2. In order to restore the writ petition to its original file, Misc. Civil Application St.No.22049/2016 was filed. However, there was a delay of 108 days. Therefore, the present civil application for condonation of delay is filed.
3. I have heard learned counsel Shri P.B. Patil for the applicants.

4. I am of the view that, issuance of Notices in these two applications is not essential since in the main writ petition itself the notices to the respondents were not issued and stamp was refused for non-removal of the office objections.

5. Having heard learned counsel for the applicants and having perused the contents of the applications, I am satisfied that the applicants have made out a case of condonation of delay and for restoration of the writ petition. Consequently, I pass following order:

ORDER

1. Civil Application (CAO) No.61/2017 is hereby allowed. Delay in moving the application for restoration of the writ petition is hereby condoned.

2. Misc. Civil Application St.No.22049/2016 is hereby allowed. The order passed by the Registrar is revoked. Writ Petition St.No.7437/2016 is hereby restored to file.

3. The applicants to remove the office objections within a period of 2 weeks from today.

4. With this, the civil application and the Misc. Civil Application are allowed and disposed of accordingly.

JUDGE

!! BRW !!

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