

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

CIVIL APPLICATION NO.95 OF 2019 IN MISC. CIVIL APPLICATION ST. NO.680/2019 IN R.C.
NO.515/2018 [SA ST. NO.8223/2018]

[Abeda Begum d/o Sheikh Mohammed and others .vs. Rizwan d/o Abdul Gaffar and others]

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

Court's or Judge's orders

CORAM : MRS. SWAPNA JOSHI, J.

DATED : JANUARY 17, 2019.

Heard Shri S.G. Karmarkar, learned counsel for the applicants.

This is an application for condonation of delay in filing the restoration application.

Heard. Perused the application.

It is submitted that there is a delay of 189 days in filing the restoration application. It is further submitted that the matter was listed before the learned Registrar (Judicial) for removal of office objections, however, due to inadvertence, objections could not be removed and, therefore, the matter was dismissed for default for want of removal of office objections.

On a perusal of the same, I am satisfied that the delay is properly explained and sufficient ground is made out for condoning the delay. Hence, the delay of 189 days needs to be condoned and accordingly it is condoned subject to payment of costs of Rs.500/- to be deposited with the High Court Bar Association Library, Nagpur.

Civil Application stands disposed of.

MISC. CIVIL APPLICATION ST. NO.680/2019

This is an application for restoration of Second Appeal St.

No.8223/2018 dismissed in default for want of non removal of office objections, dated 14.6.2018.

Heard. Perused the application.

Learned counsel for applicants submits that inadvertently the office objections could not be removed on 28.6.2018 when the matter was dismissed in default. Learned counsel submits that he would remove the office objections within one week.

Considering that the applicants are ready to remove the office objections within a period of one week from today, the Misc. Civil Application is allowed. Order dated 14.6.2018 passed by the learned Registrar (Judicial) is quashed and set aside and Second Appeal St. No.8223/2018 is restored to the file.

Misc. Civil Application stands disposed of.

SECOND APPEAL ST. NO.8223/2018

Stand over to 28.01.2019.

JUDGE