

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

CIVIL APPLICATION 1219/2019
&
C.A.O. 1245/2018
&
M.C.A. STAMP NO.10439/2018
&
CIVIL APPLICATION STAMP NO.23350/2017
&
M.C.A. STAMP NO.23349/2017 (R.C. NO.54/2018)
IN
WRIT PETITION NO.1101/2015 (D)
Shri Bhupesh T. Meshram
..Vs..
The Union of India and others

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

Court's or Judge's orders

Shri A.B. Moon, Advocate for the applicant.

CORAM : Z.A. HAQ, J.
DATED : 28.6.2019.

Accepting the explanation given in the applications, order passed by this Court on 19th June, 2019 is recalled, delay of 108 days in filing M.C.A. Stamp No.10439/2018 is condoned, M.C.A. Stamp No.10439/2018 is **allowed** and M.C.A. Stamp No.23349/2017 and Civil Application Stamp No.23350/2017 are restored.

Accepting the explanation given in Civil Application Stamp No.23350/2017 delay of 73 days in filing M.C.A. Stamp No.23349/2017 is condoned, order passed by learned Registrar (J.) on 11th December, 2017

is set aside and writ petition is restored. The civil applications and miscellaneous civil applications are **allowed** accordingly.

There is major defect in the prayer clause of M.C.A. Stamp No.10439/2019. Instead of prayer that the order passed by the learned Registrar (J.) on 11th December 2017 be set aside, it is prayed that the order passed by learned Registrar (J.) on 11th December, 2017 be restored. Learned Advocate for the applicant / petitioner submits that mistake is committed by his Clerk who is not even a graduate. It is noticed that untrained Clerks are interpolating the records without understanding and without consulting the Advocate and Advocates are leaving the matters to the whims of the Clerks.

Shri A.B. Moon, Advocate shall deposit Rs.2,000/- with the High Court Legal Services Sub-Committee, Nagpur for the lapse on his part in permitting the Clerk to write anything on the petition without even consulting him.

Receipt showing the deposit of this amount shall be produced on record of this petition within one week.

WRIT PETITION NO.1101/2015

Ms. M.P. Munshi, Advocate waives notice for the respondents.

JUDGE