

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

926 CIVIL APPLICATION NO.5295 OF 2020
IN RC/131/2020

HARISHCHANDRA VITTHALRAO ZUNGURE
VERSUS
THE STATE OF MAHARASHTRA AND ORS

...

Mr.D.R. Markad h/f Mr.S.D. Kotkar, Advocate
for the applicant.

Mr.A.A. Jagatkar, AGP for respondent/State.

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CORAM : V.L.ACHLIYA,J.
DATE : 21.01.2021

ORAL ORDER :

Heard.

2. The application is filed for setting aside the order dated 07.01.2020 passed by the Registrar (Judicial) and for restoration of First Appeal with condonation of delay.

3. In brief, it is the contention of learned counsel for the applicant that the order dated 07.01.2020 came to be passed in default of removal of office objection. The Advocate representing the applicant was unaware of the office objections raised and listing of matter before the Registrar (Judicial). It is submitted that the applicant is ready to remove the office

objection if any. If the application is not allowed and appeal is not restored, serious prejudice would cause to the applicant.

4. On due consideration of submissions advanced and considering the serious consequence to follow in case the order is not set aside, the application is allowed in terms of prayer clause "B" and "C" subject to payment of cost of Rs.500/- to be paid to the High Court Legal Services Sub-Committee, Aurangabad. Cost be paid within two weeks.

5. On deposit of cost, the appeal be restored. Office objection if any be removed within two weeks from the date of restoration of appeal.

6. The application is disposed of in above terms.

[V.L.ACHLIYA]
JUDGE

SGA