

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

922 CIVIL APPLICATION NO.3877 OF 2012

IN

REJECTED CASE NO.1378 OF 2008

IN

SECOND APPEAL STAMP NO.16252 OF 2007

KASHINATH BHIKAJI INGLE, DIED THR. L.R.S. RUKHMANBAI

KASHINATH INGLE AND ORS

VERSUS

RAMABAI DAMODHAR KADAM AND ORS

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Advocate for Applicants : Mr. V.D. Salunke

Advocate for Respondent No.1 : Mr. N.D. Sonawane

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CORAM : MANGESH S. PATIL, J.

DATE : 01-02-2022

PER COURT :

. Heard learned advocates appearing for the respective parties.

2. This is an application for restoration of the Second Appeal along with the prayer for condonation of delay in seeking the restoration, as the matter has been dismissed by the order passed by the Registrar (Judicial) on 05-03-2008 refusing registration on the ground that the office objections were not removed.

3. I have heard both the sides and perused the papers.

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The application specifically mentions that it was because of the oversight of the learned advocate who was representing the appellants that the office objections could not be removed and even the conditional order that was passed by the Registrar (Judicial) could not be noticed.

4. A party may not be allowed to suffer for the mistake or error on the part of his advocate.

5. For the reasons mentioned above, the Civil Application is allowed.

6. The delay is condoned subject to condition that the office objections shall be removed within two weeks from today. On such office objections being removed, Second Appeal be registered.

(MANGESH S. PATIL)
JUDGE

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