

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

965 CIVIL APPLICATION NO.13002 OF 2022
IN FAST/25140/2019

BALAJI BABURAO PATIL AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Applicants : Dr. Mr. Nandedkar Sahebrao G.
AGP for Respondents – State : Mr. P. N. Kutti

...

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 12.10.2022

PER COURT :

The learned AGP waives service for respondent Nos.1 and 2.

2. Heard rival submissions. The application is for restoration of First Appeal (Stamp) No.25140/2019 along with Civil Application (Stamp) No. 25141/2019 by setting aside the order dated 26.10.2021, whereby the aforesaid appeal was dismissed for non removal of office objections within the stipulated period.

3. The learned counsel for the applicants is ready to remove office objections within two weeks'. As such, following order is passed :

ORDER

(i) The delay of 163 days stands condoned and the impugned order dtd. 26.10.2021 stands set aside and First Appeal (Stamp)

No.25140/2019 along with Civil Application (Stamp) No. 25141/2019 stand restored to its original stage subject to removal of office objections in First Appeal (Stamp) No. 25140/2019 within two weeks' of this order.

(ii) The application is accordingly disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

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shp/-