

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO.1425 OF 2022
IN
FIRST APPEAL (ST) NO.5381 OF 2020

Maharashtra State Road Transport
Corporation through Divisional
Controller & Anr. .. Applicants

Versus

Mahadev Bharat Mali & Ors. .. Respondents

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Ms.Ayodhya Patki i/b Mr.Nitesh V. Bhutekar for the
Applicants/Appellants.

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CORAM: BHARATI DANGRE, J.
DATED : 21st MARCH, 2022

P.C:-

INTERIM APPLICATION NO.1425 OF 2022

1. Heard the learned counsel for the applicants/appellants, who seeks restoration of the First Appeal which was refused registration on account of non-removal of the office objections. The order dated 24/11/2021 passed by the Registrar (Judicial II) granted three weeks' time for removal of the office objections and, since no steps were taken by the applicants, the appeal was dismissed on 15/02/2022.

In the backdrop of the aforesaid circumstances, the application for restoration of appeal came to be filed on 25/02/2022 by stating that on account of the Covid pandemic situation, SOP was in operation and the physical presence of the lawyers and the litigants was discouraged and, therefore, a delay of 282 days have occurred in filing the present application. However, the Registry has calculated the delay of 67 days, which in any case, deserves to be condoned in the wake of the circumstances narrated.

2. On hearing the learned counsel for the applicants and on perusal of the application, I deem it fit to grant the same. The application is allowed in terms of prayer clauses (a), (b) and (c).

ALONGWITH
FIRST APPEAL (ST) NO.5381 OF 2020
WITH
INTERIM APPLICATION NO.3604 OF 2020
WITH
INTERIM APPLICATION NO.3605 OF 2020

3. Issue notice to the respondents, returnable on 08/04/2022

4. The applicants/appellants are permitted to serve the respondents by private service.

(SMT. BHARATI DANGRE, J.)