

Sharayu Khot.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 2400 OF 2022

IN

REJECTED CASE NO. 1794 OF 2019

IN

FIRST APPEAL (ST.) NO. 7333 OF 2019

Smt. Sonbai Vershi Bhanushali

...Applicant

Versus

Union of India

...Respondent

Mr. Balasaheb R. Deshmukh for the Applicant.

CORAM : R.I. CHAGLA J

DATE : 22 November 2022

ORDER :

1. Heard learned Advocate appearing for the Applicant/original Appellant.

2. By this Interim Application, the original Appellant has sought for setting aside the conditional order dated 19th August 2019 passed by the Registrar of this Court and for restoration of First

Appeal (St.) No. 7333 of 2019 along with the Interim Application filed by the Applicant/original Appellant to the record of this Court.

3. The Applicant/Appellant has stated that the objections had been raised by Registrar of this Court in the above First Appeal, which were to be removed within the stipulated period mentioned in the conditional order dated 19th August 2019, failing which the First Appeal shall stand rejected without further reference to the Court.

4. The Applicant has given reason in paragraphs 3 and 4 of the Interim Application, namely that the Applicant is housewife residing at Thane and found it difficult to furnish the necessary documents for removal of office objections as well as communication gap between the Advocate for the Applicant and therefore, office objections could not be removed within time. Due to Covid situation also, appropriate steps could not be taken by the Applicant.

5. The Applicant has stated that due to her being a senior citizen, her movement are restricted because of the covid situation and accordingly, office objections could not be removed.

6. The Applicant was also under impression that the First Appeal had not been dismissed and it was only learnt during the Christman Vacation, when enquiry was made, that the First Appeal came to be dismissed due to non removal of office objections. Accordingly, present Interim Application is filed.

7. Having considered the averments in the Interim Application, I am of the view that there is satisfactory explanation made out for the delay. Hence, relief sought for Interim Application is required to be granted. Hence, the following order :-

- (i) Conditional order dated 19th August 2019 passed by the Registrar of this Court is set aside and First Appeal (St.) No. 7333 of 2019 along with the Interim Applications filed therein is restored to the file of this Court.
- (ii) The Applicant shall remove office objections raised in First Appeal within a period of three weeks from the date of this order.

(iii) Interim Application is accordingly, disposed of.

[R.I. CHAGLA J.]