

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO.25 OF 2020
IN
REJECTED CASE NO.2269 OF 2019

Government of India, Ministry of]
Agriculture, New Delhi, through] ... Applicants
Director & Ors.]

Vs.

Vijay Laxman Gole (Deceased)]
Through LRs Sanjay Vijay Gole &] ... Respondents
Ors.]

...

Mr.A.J.Rizvi h/f B. Palai for the Applicants.

Mr.Rahul B. Vijaymane i/b Mr.S.A.Rajeshirke for the Respondent
Nos.1 to 4.

...

CORAM : SMT. BHARATI DANGRE, J.
DATED : 08TH APRIL, 2022.

P.C. :-

1. Heard the learned counsel for the applicants and the learned counsel for respondent Nos.1 to 4.
2. By the present application, the applicants/appellants seek restoration of the Second Appeal and it's disposal on merits. The

appeal was refused registration in the wake of the order passed by the Registrar (Judl.II) on 07/06/2019, when the office objections were not removed. The application, therefore, seeks restoration of the appeal, by condoning the delay of 174 days in taking out the application.

3. On hearing the learned counsel for the applicants and on perusal of the application, the reasons for the delay justifying the restoration are contained in paragraphs 6 to 8. I am convinced that the delay deserves to be condoned being *bona fide* and for the mistake of the advocate, the applicants shall not be made to suffer. I am, therefore, inclined to grant the said application. As a consequence, the appeal stands restored to its file.

The appellant shall remove the office objections within a period of two weeks from today. Subject to the aforesaid, the appeal shall be registered. Liberty is granted to circulate the appeal.

4. The application stands disposed off.

[SMT. BHARATI DANGRE, J.]