

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.20 OF 2020
IN
REJECTED CASE NO.2271 OF 2019

Motilal Manikrao Vibhute] ... Applicant

Vs.

Bharat Sanchar Nigam Limited.] ... Respondent

...

Mr. Ajit V. Alange i/b Mr. Samir Kumbhakoni for the applicant.

...

CORAM : SMT. BHARATI DANGRE, J.

DATED : 17TH MARCH, 2022.

P.C. :-

1. By the present application, the applicant seeks restoration of the Second Appeal (St.) No.32887 of 2018, which was dismissed for default on account of non-removal of office objection, which were directed to be removed within four weeks in terms of the order passed by the Registrar (J-1) on 01/03/2019.

2. The application proceeds to state that the advocate for the applicant did not notice the conditional order and it is only when the clerk of the advocate approached the Registry for depositing the court fee that he was informed that the appeal was dismissed on 29/03/2019, since the court fee was not paid. The aforesaid reasoning justifies the restoration of appeal by condoning the delay on 18 days in filing the civil application.
3. Civil application is allowed in terms of prayer clause (b).
4. The Second Appeal is restored to its original file.

[SMT. BHARATI DANGRE, J.]