

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION (CAO) NO. 298 OF 2021
IN
MISC. CIVIL APPLICATION (ST.) NO. 5166 OF 2020
IN
FIRST APPEAL NO. 1360 OF 2018 (D)

Premila S/o. Nilkanth Rohankar and others

...**VERSUS**...

Balarao S/o. Vishwasrao Thakre and another

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Shri Nupur Bhide, Advocate h/f. Shri R.M. Tahaliyani, Advocate for appellants.
None for the respondents.

CORAM : SMT. M. S. JAWALKAR,J.

DATE : 24th AUGUST, 2022.

In spite of service of notice, nobody is present today on behalf of respondent nos. 1 and 2.

2. The present application is filed for condonation of delay in filing restoration application. There is delay of 225 days.

3. It appears that the office objection had not been removed and for that reason, the First Appeal came to be dismissed.

4. For the reason stated in the application, the application is allowed. Delay of 225 days is hereby condoned, subject to costs of Rs. 1,000/- to be paid to the Vidarbha Lady Lawyers Association, Nagpur within two weeks.

5. The application is disposed of accordingly.

6. Registry is directed to restore the restoration application.

MISC. CIVIL APPLICATION (ST.) NO. 5166 OF 2020

The present application is filed for restoration of First Appeal, as the paper book was not filed within stipulated period, the First Appeal came to be dismissed by the order dated 24/6/2019.

2. It is submitted that due to inadvertent mistake committed by the Clerk, the office objection in First Appeal could not be removed.

3. For the reasons stated in the application, the application is allowed.

4. The order dated 24/06/2019 passed by this Court is hereby recalled.

5. Learned counsel for the appellant to remove office objection within two weeks.

6. Registry is directed to restore the First Appeal on its original number.

7. After restoration of First Appeal, the learned counsel for the appellant to file paper book within two weeks.

8. Issue notice to the respondents, returnable within three weeks.

9. The application stands disposed of.

(Smt. M.S. Jawalkar, J.)