

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

MISC. CIVIL APPLICATION (RESTORATION) NO.614/2022

IN

SECOND APPEAL ST. NO.11487/2022 (REJECTED)

Smt. Fatimabi wd/o Sk. Habib Qureshi (Dead) through Legal Heirs i.e.
Appellant No2. and 3 who are already on record) and others

..Versus...

Smt. Naseebabi wd/o Sk. Noor Mohammad Shaikh and others

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

Court's or Judge's orders

Shri S.S. Das, Advocate for applicants

CORAM : AVINASH G. GHAROTE, J.

DATE : 27/09/2022

1. The application seeks to set aside the order dated 18/08/2022 by which the registration of second appeal was refused for non-removal of office objections and filing of an application for condonation of delay. The application has since been filed. It is also submitted that since the appellant no.1 has already passed away the proceedings being for partition, her legal representatives are already on record. The order refusing registration of second appeal, for the reasons given in the application, is hereby set aside and the appeal is restored to file, subject to the condition that the objections shall be removed within one week from today.

2. The misc. civil application is allowed and disposed of accordingly. No order as to costs.

(AVINASH G. GHAROTE, J.)

Wadkar