

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

944 CIVIL APPLICATION NO.10340 OF 2023
IN RC/617/2020

ANANDA MAHADU SHINDE & ANOTHER
VERSUS
WAMAN BHUJANGA WAGH & OTHERS

...
Advocate for the applicants : Adv.V.H.Sangole

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CORAM : ARUN R. PEDNEKER, J.
DATE : 29.08.2023

P.C. :

1] The present Civil Application is filed to set aside the order dated 27.02.2019 passed by the Registrar [Judicial] of this Court by condoning the delay of 1043 days in filing the present Civil Application.

2] The learned counsel for the applicants submits that there were objections in the present matter and inadvertently the said objections remained to be removed. Due to non-removal of office objections, the Registrar [Judicial] by order dated 27.02.2019 has dismissed the

matter for non prosecution. The learned counsel for the applicants further submits that the applicants are the poor agriculturists and uneducated persons. Due to pandemic of COVID-19 situation, the applicants could not communicate the advocate and due to lock of communication between the applicant and his Advocate, delay has been occurred in filing the present Application. The learned counsel for the applicants submits that the delay caused is not intentional and deliberate act. Therefore, considering the above facts, the present Civil Application may be allowed.

3] For the reasons stated in the Civil Application, the same is allowed. The order dated 27.02.2019 passed by the Registrar [Judicial] of this Court is set aside, to the extent of the applicants. Accordingly, Civil Application is disposed of.

4] The applicants to remove all office objections, within four weeks. In the event office objections are not removed, the order dated 27.02.2019 passed by the Registrar [Judicial] would stand restored.

5] Civil Application for restoration of the Contempt Petition be listed for hearing on 3rd October, 2023.

[ARUN R. PEDNEKER]
JUDGE

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