

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

**954 CIVIL APPLICATION NO.5286 OF 2023
IN CRAFT/34568/2022**

**BALAJI HARI PATIL
VERSUS
UJWALA SUBHASH PATIL AND ORS**

...
Advocate for Applicant : Mr. P.V. Gole h/f. Mr. V.D. Gunale
Advocate for Respondents 1 to 3 : Mr. S.B. Bhapkar
...

**CORAM : ARUN R. PEDNEKER, J.
DATED : 05/07/2023**

PER COURT :

1. Civil Application No. 5286/2023 is filed for condonation of 40 days delay in filing the application for restoration of second appeal. The learned counsel appearing for respondents seriously opposes the application. However, if the application is not allowed, the right of the applicant to contest the CRA on merits would be defeated and no prejudice would be caused to the respondent if the application is allowed. For the reasons stated in the application, the application filed for restoration is allowed. Delay, if any, is condoned. The order passed by the Registrar dated 9.2.2023 is set aside to the extent of present applicant. Applicant is granted four weeks time to remove the office objection.
2. List the CRA on 17.8.2023.

[ARUN R. PEDNEKER J.]

ssc/