

SPChauhan

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

CIVIL APPLICATION NO. 10197 OF 2022
IN
SECOND APPEAL STAMP NO. 26206 OF 2020

Nita Sanjay Kandhare ... Appellant

Versus

Madan Waman Bhalerao and others ... Respondents

....
Mr. P.B. Rakhunde – Advocate for Appellant

....

CORAM : GAURI GODSE, J.

DATE : 13th February, 2023

PER COURT :

1. This application is filed for restoration of the Second Appeal by setting aside order dated 16th February, 2022, passed by the learned Registrar.
2. By the said order, conditional time was granted to remove the office objections. However, objections were not removed within time. Hence, the registration of Second Appeal as well as the application for condonation of delay was refused.
3. Learned counsel appearing for the appellant states that objections were with respect to non-filing of copy of First Appeal memo and trial Court judgment and the decree.

4. He submits that he will file the necessary certified copies within a period of three weeks from today and remove office objections.
5. Considering the reasons given in the application, delay in filing the application is condoned. Subject to removal of all office objections, within a period of six weeks from today, Civil Application is allowed in terms of prayer clauses 'a-1 and b', which read thus :

“a-1. The delay of 22 days caused in filing this application may kindly be condoned.

b. The order dated 16/02/2022 passed by the Ld. Registrar, in Second Appeal St. No. 26206/2020 may kindly be recalled and the Second Appeal St. No. 26206/2020 along with Civil Application St. No. 26229/2020 may kindly be restored to its original position.”
6. If the objections are not removed within time granted, the application will stand dismissed without further reference to the court.

[GAURI GODSE]
JUDGE