

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

**907 CIVIL APPLICATION NO.16215 OF 2022
IN RC/711/2019**

**MD.ZAKER ALI MD. ABED ALI
VERSUS
LAXMI NARAYAN REDDY SANMOHAN REDDY AND OTHERS**

...
Mr. Ganesh Shinde, Advocate for the applicant.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 08.02.2023.

ORDER:-

1. Heard learned Counsel for the applicant. The applicant is seeking setting aside the order dated 14.06.2018 in this application whereby registration of his First Appeal was refused for non-removal of the office objections. It is significant to note that the appeal memo and the annexures in this matter are already destroyed, since the applicant did not take diligent steps to restore the matter earlier. Moreover, there is also huge delay of 1552 days. Under such circumstances, certain cost needs to be saddled on the applicant. As such, the order dated 14.06.2018 stands recalled and the appeal of applicant is restored to its original stage i.e. for removal of office objections. The applicant shall remove all the office objections within three weeks from the date of this

order and he shall also deposit cost of Rs. 2,000/- each payable to the Bar Library of Advocates Association of Bombay High Court at Aurangabad. Removal of office objections and deposit of cost shall be conditions precedent for such restoration. It is further directed that the applicants shall not be entitled for any interest for the aforesaid period delay of 1552 days, if any enhancement of compensation is granted to the applicants in their appeals.

2. Civil application is disposed of accordingly.

(SANDIPKUMAR C. MORE, J.)