

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

**CIVIL APPLICATION NO.174 OF 2023
IN MISC. CIVIL APPLICATION ST. NO. 2110 OF 2023
IN FIRST APPEAL ST. NO. 2869 OF 2022
VI.D.C and anr. vs. Shankar Narayan Thool and ors.**

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

Court's or Judge's Order

Ms. Mallika Babhylkar, Advocate h/f Shri M.A. Kadu, Advocate for the
appellant.
Ms. Haider, A.G.P. for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- FEBRUARY 07, 2023.

Heard.

2. By preferring this application, the applicant is seeking condonation of delay, which is caused in filing the restoration application.

3. As per the contention of the applicant/appellant, the appeal was filed within time, however Registry has raised some objections. Said objections are not noted inadvertently by the appellant, and therefore, the same were not removed.

4. As the Registrar (Judicial) has passed conditional order and the office objections were not removed therefore, the registration of the appeal was rejected.

5. Heard learned Counsel Ms. Babhulkar for the appellant and perused the application.

6. It appears that inadvertently the applicant/appellant has not noticed the office objections,

and therefore not removed hence, the Registrar (Judicial) has rejected the registration of appeal.

7. In view of the reasons mentioned in the application, the delay is condoned. The application stands disposed of.

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On removal of the office objections, the appeal be restored at its original stage.

2. The appellant to remove the office objections within two weeks. On failure to remove the office objections, the appeal stands dismissed without further reference to the Court.

3. Stand over to 21/02/2023.

(URMILA JOSHI-PHALKE, J.)

**Divya*