

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

**CIVIL APPLICATION NO. 138 OF 2023 IN
MISC. CIVIL APPLICATION ST. NO. 2124 OF 2023 IN
FIRST APPEAL ST. NO.2847 OF 2022**

VIDC, thr. Its Executive Engineer 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, Advocate h/f Shri M.A. Kadu, Advocate for the
appellants/applicants.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- FEBRUARY 02, 2023.

Heard.

2. By preferring this application, the appellants/
applicants are seeking condonation of delay, which is
caused in filing the restoration application.

3. As per the contention of the appellants, the
appeal is filed to challenge the award and decree passed
by the Presiding Officer, Land Acquisition, Rehabilitation
and Resettlement Authority, Nagpur.

4. The appeal was under office objection(s) and
the appellants were directed to remove the office
objection(s) but inadvertently the office objections
remained to be removed and therefore, the appeal was
dismissed at the stage of registration.

5. The delay is not intentional one.

6. In view of the reasons mentioned in the
application, the delay of 113 days is condoned.

7. The application stands disposed of.

MISC. CIVIL APPLICATION ST. NO. 2124 OF 2023

Heard.

2. By preferring this application, the applicants/appellants are praying for restoration of the appeal, which was dismissed at the registration stage.

3. As per the contention of the applicants, the conditional order was passed that the office objections to be removed within 14 days otherwise registration shall stand refused, which was not noted by the learned Counsel for the applicant, and therefore, the appeal was dismissed at the registration stage. Now, the appellant undertakes to remove the office objections as soon as appeal is restored.

4. Considering the reasons mentioned in the application, the appellants to remove office objections within two weeks. On removal of the office objections, the appeal be restored at its original stage. The application stands disposed of accordingly.

5. Stand over to 20/02/2023.

(URMILA JOSHI-PHALKE, J.)

**Divya*