

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

CAO NO.184/2023 AND MCA ST.NO.2496/2023 IN FA ST.NO.6557/2022

Balkrushna Narayan Mahajan

..VS..

The State of Mah., thr.the Collector, Yavatmal and ors

.....
Office Notes, Office Memoranda of Coram,
appearances, Court orders or directions
and Registrar's orders

Court's or Judge's Order

.....
Shri A.B.Nakshane, Counsel for the Applicant.
Mrs.Shamsi Haider, AGP for NA Nos.1 and 2.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 09/02/2023

1. By this application, the applicant seeks condonation of delay caused in filing application for revision against Registrar's order dated 6.12.2022 whereby the registration of first appeal was refused for non-removal of office objections. Delay is of 35 days.

2. As per contentions of the applicant, the applicant has preferred the present appeal challenging judgment and order dated 23.6.2016 passed by learned Civil Judge Senior Division at Yavatmal in LAC NO.101/2014. The said appeal was placed before the Registrar as objections are raised and conditional order was passed. However, inadvertently the applicant failed to mark the matter in the cause list and the matter was dismissed by the Registrar for non-removal of office objections. It is further contended that counsel for the applicant has not removed the office objections and the order was passed refusing registration of the appeal and, therefore, the delay was caused which is not intentional one

3. It is apparent that after sufficient opportunity was granted to remove office objections. The Registrar passed order of refusing registration of the appeal. Though it is settled principle that while considering the delay applications a liberal approach is to be taken, it is necessary to impose costs though there is just and reasonable reason.

4. In this view of the matter, subject to costs of Rs.500/- to be deposited with the Vidarbha Lady Lawyers' Association and removal of office objections within a period of two weeks from today, the delay is condoned and first appeal stamp number is restored to its original file.

5. The application and misc. civil application are disposed of.

(URMILA JOSHI-PHALKE, J.)

!! BrWankhede !!

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