



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

**CIVIL APPLICATION (CAO) NO. 06 OF 2021**  
**IN**  
**MISC. CIVIL APPLICATION (ST.) NO. 794 OF 2020**  
**IN**  
**CROSS APPEAL STAMP NO. 20345 OF 2019**  
**IN**  
**FIRST APPEAL NO. 371 OF 2017**  
Manoj S/o. Samirmal Kotecha  
VS.  
State of Maharashtra and others.

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

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Mr A. B. Nakshane, Adv. h/f. Mr D. A. Sonwane, Advocate for the appellant  
Ms Trupti Udeshi, AGP for the State  
Mr M. A. Kadu, Advocate for respondent No.3

**CORAM : G.A. SANAP, J.**  
**DATE : OCTOBER 6, 2023.**

Heard.

2. Issue notice to the respondents.
3. Learned AGP waives service of notice on behalf of respondent Nos. 1 and 2/State.
4. Learned Advocate Mr. M. A. Kadu, waives service of notice on behalf of respondent No.3.
5. This is an application for condonation of one day delay caused in filing restoration application for setting aside

dismissal order passed in Cross Appeal (Stamp) No.20345 of 2019.

6. In view of the reasons stated in the application, the application is allowed.

7. The delay of one day stands condoned.

8. The restoration application be registered.

9. However, it is made clear that from the date of dismissal till date the appellants shall not be entitled to get the interest or any other statutory benefit for this delayed period.

10. The Civil Application stands **disposed of**, accordingly.

**MISC. CIVIL APPLICATION (St.) NO.794 of 2020**

11. Heard.

12. Learned AGP waives service of notice on behalf of respondent Nos. 1 and 2/State.

13. Learned Advocate Mr. M. A. Kadu, waives service of notice on behalf of respondent No.3.

14. It is stated that the cross appeal was under office objection. The office objections could not be removed. It is stated that the period of removal of office objections expired during christmas vacation. In view of the reasons stated in

the application, the application is allowed. The dismissal order is set aside.

15. The Cross Appeal (Stamp) No.20345 of 2019 be restored to its original file.

16. The office objections in Cross Appeal (Stamp) No.20345 of 2019 be removed within two weeks.

17. The Misc Civil Application stands **disposed of**, accordingly

(G. A. SANAP, J.)

*Namrata*