

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

**CIVIL APPLICATION NO. 178 OF 2023 IN
MISC. CIVIL APPLICATION (ST.) NO. 2535 OF 2023 IN
FIRST APPEAL ST. NO. 6566 OF 2022**

(Malabai Govinda Dakhare and anr. ..vs.. State of Maharashtra and ors.)

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

Court's or Judge's Order

Shri A.B. Nakshane, Advocate for the appellants.
Shri Mangesh Kadu, A.G.P. for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- FEBRUARY 08, 2023.

By preferring this application, the appellant is seeking condonation of delay of 36 days which is caused in filing the revision application.

2. As per the contention of the applicant, the matter was listed before the Registrar (Judicial) however, Registrar (Judicial) has dismissed the appeal as office objections are not removed. The applicant was under the impression that the matter was pending.

3. The applicant has got knowledge and thereafter he filed the civil revision for setting aside the order however delay of 36 days is caused.

4. It is submitted that the reasons mentioned in the application are just and reasonable and applicant be permitted to litigate on merits.

5. Heard learned Counsel for the applicants. Perused the application.

6. Considering the reasons mentioned in the application, it is apparent that as the learned Counsel for the applicants has not noted the order passed by the Registrar (Judicial), therefore, delay is caused.

7. The reasons mentioned in the application appears to be just. In view of that delay of 36 days in filing the revision application is condoned.

8. Civil application is disposed of.

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Considering the reasons mentioned in the application, the appeal is restored at its original stage subject to removal of office objections.

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

3. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)

**Divya*