

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAO) NO. 229/2023 IN
M.C.A. ST. 2798/2023 IN FIRST APPEAL ST. NO. 14174/2022

Rajani Ravindra Deshmukh and others

Vs

The State Of Maharashtra Through Collector, Yavatmal And Others

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

Court's or Judge's Order

Mr S.G. Varshani, Advocate for the appellants/applicants.

Mrs Shamshi Haider, AGP for the respondent Nos. 1 and 2.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 21/02/2023.

1. Heard.
2. By this application, the appellants are seeking condonation of delay which is caused in filing restoration application for restoring the First Appeal St. 14174/2022. The Registrar (J) has dismissed the appeal as the office objections are not removed by the appellants. As per the contention of the appellants, the conditional order was not floated inadvertently by the advocate of the appellants and therefore, the appeal is dismissed. Therefore, delay of 38 day is caused. The order of the Registrar (J) also not noted by the appellants.
3. In view of the reasons mentioned in the application, delay of 38 days is condoned. Civil application is allowed.

Misc. Civil Application St. No. 2798/2023

1. First Appeal is dismissed as the office objections is not removed by the appellants. Considering the reasons mentioned in the application, on removal of office objections within two weeks, Appeal be restored on its original stage.
2. On failure to remove office objections within two weeks, the earlier order will come into force.

JUDGE