

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

CIVIL APPLICATION (CAO) NO. 200 OF 2023
IN
MISC. CIVIL APPLICATION (ST.) NO. 2871 OF 2023
IN
SECOND APPEAL (ST.) NO. 15825 OF 2022 (REJ.)

SHRI KISHORE S/O. BHAGWAN DESHMUKH AND ANOTHER

...VERSUS...

SHRI SURESH S/O. WADGUJI NARAD

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

Court's or Judge's order

Shri D.A.Sonwane, Advocate for applicants/appellants.

CORAM : SMT. M. S. JAWALKAR,J.

DATE : 20th FEBRUARY, 2023

The present application is filed for condonation of delay in filing application for restoration of Second Appeal (St.) No. 15825/2022.

2. The reason for delay mentioned in para 3-A of the application is that, the learned counsel for the applicants met with an accident, in which, the femur bone of his right leg was fractured and the Doctor had advised the counsel to take complete bed rest for 60 days. The said reason is justifiable to condone the delay of 60 days. Accordingly, the application is allowed. Delay of 60 days in filing restoration application is hereby condoned.

3. Registry is directed to register the restoration application bearing MCA (St.) No. 2871/2023.

4. Accordingly, the application is disposed of.

MISC. CIVIL APPLICATION (ST.) NO. 2871 OF 2023

The present application is filed for restoration of Second Appeal (St.) No. 15825/2022, of which, the registration was refused by learned Registrar (J) on 17/11/2022 for non-removal of office objection. Due to medical reason, the applicant could not remove the office objection within prescribed time granted by the Registrar (J). In view of the reasons stated in the application, I am satisfied that the order dated 17/11/2022 passed by learned Registrar (J) is liable to be quashed and set aside. Accordingly, the application is allowed.

2. Registry is directed to register the Second Appeal (St.) No. 15825/2022 on its original number.
3. After registration of same, the appellants to remove office objection within two weeks.
4. Accordingly, the application is disposed of.

(Smt. M.S. Jawalkar, J.)

B.T.Khapekar