

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

CIVIL APPLICATION (CAO) NO. 439/2023 IN
MISC. CIVIL APPLICATION STAMP NO. 3334/2023

Ramrao Baddu Jadhav and another

Vs.

The State of Maharashtra, through District Collector, Yavatmal and others

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

Court's or Judge's orders

Shri T.M. Malnas, Advocate for appellants
Ms H.N. Jaipurkar, AGP for respondent Nos. 1 & 3

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

DATE : 14/06/2023

Present application is filed for condonation of 45 days delay in filing application for restoration of first appeal stamp No. 6212/2022. It is submitted by learned Counsel for the applicant that matter was listed on 06/12/2022, before Registrar (Judicial), for removal of office objections and Registrar (Judicial), granted fourteen days time to remove office objections. However, due to inadvertent mistake matter could not be marked and it was dismissed vide order dated 06/12/2022. The application for restoration and condonation of delay is filed immediately thereafter. As such, it is submitted that delay is neither intentional nor deliberate. The application is supported by affidavit of concerned Advocate. In view thereof, I am inclined to allow the application. The

delay of 45 days in filing application for restoration of first appeal is hereby condoned.

2. Office to register Misc. Civil Application Stamp No. 3334/2023.

MISC. CIVIL APPLICATION STAMP NO. 3334/2023

For the reasons stated in the application, the application is allowed. The order passed by learned Registrar (Judicial), dated 06/12/2022, is hereby quashed and set aside.

2. Registry is directed to register First Appeal Stamp No. 6212/2022.

3. After registration of the same, the learned Counsel for appellants to remove office objections within a week.

4. Application stands disposed of.

(SMT. M.S. JAWALKAR, J.)