

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

CIVIL APPLICATION (CAO) NO. 250/2023 IN
MISC. CIVIL APPLICATION STAMP NO.3356/2023 IN
SECOND APPEAL STAMP NO. 18782/2022

Wanmala Baliram Shende

Vs.

Arun Kisanrao Zade (Dead) through L.Rs. and others

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

Court's or Judge's orders

Ms S.W. Deshpande, Advocate for appellant

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

DATE : 23/02/2023

Present application is filed for condonation of delay in filing restoration application in Second Appeal Stamp No. 18782/2022. The matter was listed for removal of office objection before the Registrar (Judicial) and vide its conditional order dated 08/12/2022, registration came to be refused on 22/12/2022. There was office objection in respect of certified copies of the judgment and decree of the Trial Court and appeal memo. It was handed over by client to the Counsel on 25/12/2022. However, it was misplaced and could not be filed.

2. The application is supported by the affidavit of learned Counsel for the applicant. As such, I am inclined to condone the delay, however, subject to costs of Rs.500/-, to be

deposited with the Vidarbha Lady Lawyer's Association, Nagpur within a period of two weeks.

3. The application is allowed. Delay in filing restoration application is hereby condoned.

4. The application is disposed of.

MISC. CIVIL APPLICATION STAMP NO. 3356/2023

Present application is filed for restoration of Second Appeal Stamp No. 18782/2022.

2. For the reasons stated in paragraph No.2, application is allowed. Conditional order passed by Registrar (Judicial) dated 08/12/2022, is hereby quashed and set aside.

3. Registry is directed to restore the Second Appeal Stamp No. 18782/2022, on its original number, after deposit of costs in Civil Application No. 250/2023.

4. After registration of the same, appellant to remove office objections within two weeks.

5. Application stands disposed of.