

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

CIVIL APPLICATION (CAO) NO.570/2022

IN

MISC. CIVIL APPLICATION ST. NO.3554/2022

IN

REJ. SECOND APPEAL NO.649/2018 (S.A. ST. NO.11551/2018)

Vidarbha Industries Private Limited

Vs.

Mrs. Prabha w/o Deoraoji Chambhare and others

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

Court's or Judge's orders

Ms Bhakti Pimplikar, Advocate h/f Shri A.M. Jaltare,
Advocate for applicant

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

DATED : 16/02/2023

The present application is filed for condonation of delay in filing restoration of the Second Appeal. It appears that Second Appeal was listed before the learned Registrar (Judicial) on 19/07/2018 in which the applicant was directed to remove the office objections within 14 days. The said order was communicated to the applicant. However, due to change in staff and financial crisis, there was nobody to look after the legal affairs. In that process, there is delay of 588 days in seeking restoration of Second Appeal.

2. I am of the view that the matter should not be unheard on these technical aspects, however, it cannot be overlooked that there is delay of 588 days. Hence, the application is allowed.

3. The delay of 588 days is hereby condoned subject to costs of Rs.5000/- to be deposited within four weeks to the Vidarbha Lady Lawyer Association.
4. After payment of costs, the Registry is directed to register the Misc. Civil Application.
5. The application stands disposed of.

JUDGE

R.S. Sahare