

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

**CIVIL APPLICATION NO.370 OF 2022 IN
MISC. CIVIL APPLICATION (ST.) NO.4339 OF 2020 IN
FIRST APPEAL (ST.) NO.19202 OF 2019**

(Saksham s/o Dilip Dongare Vs. The Controller, MSRTC, Nagpur)

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

Court's or Judge's Order

Mrs. U.A. Bhattad, Advocate for the appellant.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- MARCH 08, 2023.

Heard.

2. By this application, the applicant is seeking condonation of delay which is caused in preferring the application for restoration of appeal as the appeal is dismissed as office objections are not removed.

3. As per the contention of the learned Counsel for the appellant that she had sought circulation for first appeal along with condonation of delay and at that time she came to know that entire appeal has been rejected for non-removal of office objections. She immediately drafted the said application for condonation of delay however, 29 days delay is caused. Inadvertently, she has not noted the order passed by the Registrar(J.), and therefore, delay is caused.

4. The appellant has claimed the compensation under the beneficial legislation. He cannot be deprived from getting relief on the technical reasons.

5. Heard Mrs U. A. Bhattad, learned Counsel for the appellant. Perused the application.
6. In view of the reasons mentioned in the application, delay is condoned.
7. Civil application is disposed of.

MISC. CIVIL APPLICATION (ST.) NO.4339 OF 2020

On removal of all the office objections within two weeks, the appeal be restored at its original stage.

2. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)

**Divya*