

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

**CAO NO.302/2023 IN MCA ST.NO.4245/2023 IN FA ST.NO.918/2022
Maharashtra State Power General Co.Ltd., thr.its Executive Engineer, Balapur,
District Akola**

..VS..

Shantilal Baglal Shah, thr.LRS and ors

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

Court's or Judge's Order

.....
Shri N.G.Mohrir, Counsel for the Applicant.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 02/03/2023

1. By these applications, the applicant seeks condonation of delay in filing Misc. Civil Application for restoration of first appeal stamp challenging judgment and award passed by learned 5th Joint Civil Judge Senior Division at Akola and restoration of the first appeal stamp. The appeal is preferred by Maharashtra State Power General Company Limited. The Delay is of 71 days.
2. When the appeal stamp was listed before the Registrar, it was directed to remove office objection(s) within fourteen days. However, the same could not be removed since learned counsel had not noted the same and, therefore, the appeal stamp was refused.
3. Learned counsel for the applicant submits that the delay is not intentional one and for his fault litigant should not suffer.
4. For reasons stated in the application, the application is **allowed**. The delay stands condoned. The first appeal stamp is restored to its original file, however the same shall be subject to removal of office objection(s) within two weeks.
5. Applications are **disposed** of.

(URMILA JOSHI-PHALKE, J.)

!! BrWankhede !!

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