

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

CIVIL APPLICATION (CAO) NO.426/2023 IN
MISC. CIVIL APPLICATION (R) ST. NO.3758/2023 IN
SECOND APPEAL ST. NO.21287/2022

Maya Satish Puri and others

Vs.

Smt. Anusaya s/o Late Dadagir Giri Goswami 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 Shruti Shahakar, Advocate h/f Shri R.N. Badhe,
Advocate for appellants

CORAM : SMT. M.S. JAWALKAR, J.
DATED : 24/03/2023

The present application is filed for condonation of delay of 6 days in filing application for restoration of Second Appeal. Second Appeal St. No.21287/2022 came to be dismissed for want of removal of office objections by the order of the Registrar (Judicial) dated 19/01/2023. Due to inadvertent mistake on the part of the Advocate, the objections could not be removed and when it was noticed, the matter was dismissed.

2. The application is supported by affidavit of learned Counsel for appellants.

3. The delay of 6 days in filing restoration application is hereby condoned. As such, the application is allowed.

4. The Registry is directed to register the Misc. Civil Application.

5. The application stands disposed of accordingly.

MISC. CIVIL APPLICATION ST. NO.3758/2023

1. The present application is filed for restoration of Second Appeal which was rejected by the order of the Registrar (Judicial). There was objections in respect of filing of certified copies and correction in the application for condonation of delay. The Registrar (Judicial) passed conditional order dated 19/01/2023. The office objections could not be removed as certified copies were not received.

2. It is submitted that due to inadvertent mistake on the part of Advocate, the office objections could not be removed. However, as the application is supported by affidavit of learned Counsel for applicant, the application is allowed.

3. The order passed by the Registrar (Judicial) dated 19/01/2023 is hereby set aside.

4. The Registry is directed to register the Second Appeal on its original stamp number.

5. After registration of Second Appeal, the applicant to remove office objections within one week.

JUDGE