



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

CIVIL APPLICATION (CAO) NO. 347/2023

WITH

CIVIL APPLICATION (CAO) NO. 840/2023

IN

MISC. CIVIL APPLICATION STAMP NO. 20481/2022

IN

SECOND APPEAL STAMP NO. 9789/2022

Manik S/o Bijaram Satkar and others

Vs.

Sushila W/o Sureshrao Wane and others

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

Court's or Judge's orders

Shri Y.B. Mandpe, Advocate for appellants

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

DATE : 08/11/2023

The present application is filed for condonation of delay of 119 days in filing application for restoration. It appears that matter was listed on 21/07/2022, before the learned Registrar (Judicial), for removal of office objections. The appellant applied for certified copy and time to remove office objections was

expired on 04/08/2022. Accordingly registration of Second Appeal Stamp No. 9789/2022 was refused.

2. There is Civil Application No. 840/2023, for amendment in condonation of delay application, the same is allowed.

3. The amendment be carried out within two days.

4. By way of this amendment, it is clarified at what date the applicant applied for certified copy and when he has received the same.

5. As such, though the reasons put forth by way of amendment are justified, there is no due diligence shown by learned Counsel for applicant. Hence, the application is allowed, however, subject to costs of Rs.1000/-, to be deposited in Maharashtra Legal Services Sub Committee, Nagpur, within a period of two weeks.

6. Applications stand disposed of.

MISC. CIVIL APPLICATION STAMP NO. 20481/2022

The registration was refused by the order of learned Registrar (Judicial) on 21/07/2022, taking effect after 14 days.

2. For the reasons mentioned in the application, the application is allowed.

3. The Registry is directed to restore the Second Appeal Stamp No. 9789/2022, on its original number, after due payment of costs as directed in Civil Application No. 347/2023.

4. After registration of second appeal, learned Counsel for applicant to remove office objections within a period of two weeks.

5. Application stands disposed of.

(SMT. M.S. JAWALKAR, J.)