

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

CIVIL APPLICATION (CAO) NO. 669 OF 2023
IN
MISC. CIVIL APPLICATION (ST.) NO. 3756 OF 2023
IN
SECOND APPEAL (ST.) NO. 19717 OF 2022 (REJ.)

NAMDEO S/O. BALAJI TADAS

...**VERSUS**...

SHOBA WD/O. WASUDEO TADAS AND ORS.

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

Court's or Judge's order

Ms. Ashwini Manhare, Advocate h/f. Shri B.W.Patil, Advocate for
appellant/applicant.

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

DATE : 03rd MAY, 2023

The present application is filed for condonation of delay in filing application for restoration of Second Appeal (St.) No. 19717/2022.

2. The registration of Second Appeal (St.) No. 19717/2022 was refused for want of removal of office objections vide conditional order dated 05/01/2023. Fourteen days' time was granted by Registrar (J) by the said conditional order. In view thereof, the application for restoration of Second Appeal ought to have file on or before 26/01/2023. As such, I am inclined to condone the delay of 21 days subject to costs as no due diligence was shown by the learned counsel.

3. As such, the application is allowed and delay in filing restoration application is hereby condoned subject to costs of Rs. 500/- to be paid to the Library of High Court Bar Association, Nagpur within two weeks.

4. Registry is directed to register MCA (St.) No. 3756 of 2023 for restoration of Second Appeal.

5. Accordingly, the application stands disposed of.

MISC. CIVIL APPLICATION (ST.) NO. 3756 OF 2023

For the reasons stated in the application, the application is allowed. The conditional order passed by Registrar (J) dated 05/01/2023 is hereby quashed and set aside.

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

3. After registration of the Second Appeal, learned counsel for the appellant to remove office objections by 09/06/2023.

4. Accordingly, the application stands disposed of.

(Smt. M.S. Jawalkar, J.)