



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

CIVIL APPLICATION (CAO) NO. 568 OF 2022
IN
MISC. CIVIL APPLICATION (ST.) NO. 8775 OF 2022
IN
SECOND APPEAL (ST.) NO. 7581 OF 2021 (REJ.)

SHRI VINOD MADANLAL BANG, LRS. OF MADANLAL BANG (DEAD) AND ORS.

...**VERSUS**...

MAHADEORAO S/O. SHANKARRAO BUNDELE AND ORS.

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

Court's or Judge's order

Shri A.C.Khare, Advocate for appellants.

Shri P.A.Deshpande, Advocate for LR's. of respondent no. 2.

CORAM : SMT. M. S. JAWALKAR,J.
DATE : 23rd OCTOBER, 2023

The present application is filed for condonation of delay in filing application for restoration of Second Appeal (St.) No. 7581/2021. There is delay of 98 days.

2. It appears that the matter was notified for removal of office objections. On account of Covid-19 pandemic and for the other reason which was beyond the control of erstwhile counsel, the objections could not be removed and hence, the Registrar (J) was pleased to refuse the registration and accordingly, the matter was dismissed.

3. I am satisfied that there is justifiable reason for non-removal of office objections. As no due diligence is shown, the application is allowed, subject to costs. Delay in filing application for restoration of Second Appeal (St.) is hereby condoned, subject to costs of

Rs. 1,000/- to be paid to Vidarbha Lady Lawyers' Association within a period of two weeks.

4. Registry is directed to register the restoration application bearing MCA (St.) No. 8775/2022.

5. Accordingly, the application stands disposed of.

MISC. CIVIL APPLICATION (ST.) NO. 8775 OF 2022

For the reasons stated in the application, the application is allowed. The order passed by Registrar (J) dated 09/12/2021 is hereby set aside.

2. Registry is directed to restore the Second Appeal (St.) No. 7581/2021 after deposit of costs as directed above in CAO No 568/2022.

3. Accordingly, the application stands disposed of.

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

B.T.Khapekar