

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

CIVIL APPLICATION (CAO) NO.773/2023

IN

MISC. CIVIL APPLICATION ST. NO.10383/2023

IN

FIRST APPEAL ST. NO.519/2023

V.I.D.C. Through Executive Engineer, Amravati Project Construction Division,
Amravati and another

Vs.

Mandabai Ambadas Mankar and others

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

Court's or Judge's orders

Shri Vinay Rathi, Advocate h/f Shri P.Patil, Advocate for
appellants

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

DATED : 09/06/2023

The present application is filed for condonation of delay in filing Revision application. It appears that matter was listed on 28/03/2023 for removal of office objections and 14 days time was granted with conditional order. Though all other objections have been removed, for want of procedural compliances, objection in respect of Court fees could not be removed. As such, after 14 days, the Registrar (Judicial) refused to register the First Appeal St. No.519/2023.

2. For the reasons stated in the application, delay in filing Review Application is hereby condoned.

3. The Registry is directed to register the Review Application.

4. Application stands disposed of accordingly.

MISC. CIVIL APPLICATION ST. NO.10383/2023

1. The present application is filed for restoration of First Appeal which was rejected by the order of the Registrar (Judicial). The Registrar (Judicial) passed conditional order on 28/03/2023, for removal of office objections. Though all other objections have been removed, for want of procedural compliances, objection in respect of Court fees could not be removed. As such, after 14 days, the Registrar (Judicial) refused to register the First Appeal St. No.519/2023. Thus, there is justifiable reason for non removal of office objection and therefore Revision is liable to be allowed.

2. Accordingly, the order passed by the Registrar (Judicial) on 28/03/2023 is hereby set aside.

3. The Registry is directed to restore the First Appeal on its original stamp number.

4. After registration of the same, appellants to remove office objections within two weeks.

JUDGE

R.S. Sahare