

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

CIVIL APPLICATION (CAO) NO. 784 OF 2023
IN
MISC. CIVIL APPLICATION (ST.) NO. 10489 OF 2023
IN
FIRST APPEAL (REJECTED) (ST.) NO. 22785 OF 2019

SHRI NARENDRA PANJABRAO SHENDE AND ORS.

...VERSUS...

STATE OF MAHARASHTRA THR. COLLECTOR, WARDHA 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 C.R.Najbile, Advocate for appellants/applicants.
Ms. T.H.Udeshi, AGP for respondent nos. 1 and 2.

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

DATE : 15th JUNE, 2023

The present application is filed by the appellants/applicants for condonation of delay in filing the application for restoration of First Appeal (St.) No. 22785/2019.

2. There is delay of 468 days in filing application for restoration of First Appeal (St.) No. 22785/2019. By conditional order dated 18/02/2020 passed by Registrar (J), two weeks' time was granted to remove office objection. It is submitted by learned counsel for the appellants/applicants that due to inadvertent mistake, it could not be marked and the matter was dismissed. In view thereof, delay has been caused.

3. The application is supported by affidavit of learned counsel. However, as no due diligence is shown, I am inclined to allow the application, subject to costs. Accordingly, the application is allowed.

4. Delay in filing restoration application is hereby condoned, subject to costs of Rs. 3,000/- to be deposited with the Library of High Court Bar Association, Nagpur within a period of two weeks.

5. Registry is directed to register Misc. Civil Application (St.) No. 10489/2023.

6. Accordingly, the application stands disposed of.

MISC. CIVIL APPLICATION (ST.) NO. 10489 OF 2023

The present application is filed for restoration of First Appeal (St.) No. 22785/2019 which was dismissed by conditional order of Registrar (J).

2. It is submitted that due to inadvertent mistake, it could not be marked and the matter was dismissed. For the reasons stated in the application, application is allowed.

3. Registry is directed to register the First Appeal (St.) No. 22785/2019, subject to costs as directed in CAO No. 784/2023.

4. After registration of First Appeal (St.) No. 22785/2019, the learned counsel for appellants/applicants to remove office objections within a period of three weeks.

5. Accordingly, the application stands disposed of.

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