

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

CIVIL APPLICATION (CAO) NO. 565 OF 2022
IN
MISC. CIVIL APPLICATION (ST.) NO. 10225 OF 2022
IN
REJ. SECOND APPEAL (ST.) NO. 3172 OF 2022

MR. SAYYED ALIM S/O. SAYYED SARDAR

...**VERSUS**...

SMT. AFROZA BEE W/O. SAYYED ALIM

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

Court's or Judge's order

Shri Syed Sufiyan, Advocate h/f. Shri S. Raisuddin, Advocate for appellant.

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

DATE : 10th FEBRUARY, 2023

The present application is filed for condonation of delay in filing application for restoration of Second Appeal.

2. The learned Registrar (Judicial) vide conditional order dated 21/04/2022 had granted 14 days' time to remove office objections in Second Appeal. In view of that order, the registration of Second Appeal was rejected on 05/05/2022. It is submitted that due to oversight so also the appellant received the certified copies from learned Trial Court on 10/06/2022, he could not remove office objections within stipulated time. As such, there is delay of 51 days in filing restoration application for restoration of Second Appeal (St.) No. 3172/2022. Therefore, I am inclined to condone the delay in filing restoration application, subject to costs of Rs. 500/- to be paid to High Court Bar Associations' Library within a period of two weeks.

After depositing the costs, Registry is directed to register the restoration application MCA (St.) No. 10225/2022 for restoration of Second Appeal (St.) No. 3172/2022.

3. Accordingly, the application stands disposed of.

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

B.T.Khapekar