

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

CIVIL APPLICATION (O) NO.381 OF 2022

IN

MISC. CIVIL APPLICATION (ST) NO.10396 OF 2021

IN

FIRST APPEAL (ST) NO.28775 OF 2018

[Dadarao Domaji Harne (Dead) thr LRs ..V/s.. The State of Maharashtra
and Ors.]

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

Court's or Judge's order

Mr G. O. Gadge, Adv. h/f Mr P. S. Kshirsagar, Advocate for Applicants/Appellants.
Mr M. A. Kadu, AGP Respondent Nos.1 and 2.

CORAM : URMILA JOSHI-PHALKE, J.

DATE : 14th MARCH, 2023.

. Heard.

2. Issue notice to the respondents. Learned Assistant Government Pleader waives notice on behalf of respondent Nos.1 and 2.

3. This is an application for condonation of delay of 230 days, which is caused in preferring the restoration application. The first appeal is already dismissed at its registration stage as the office objection was not removed.

4. As per the contention of the applicants/appellants, the office objection inadvertently not noticed, and therefore, not removed. When the learned Advocate noted the said order, delay of 230 days was already caused, and hence, this application.

5. In view of the reasons mentioned in the application, the application is allowed. Delay of 230 days is condoned.

MISC. CIVIL APPLICATION (ST) NO.10396 OF 2021

6. On removal of office objection within two weeks, appeal be restored at its original stage. On failure to remove the office objection, within two weeks, the earlier order passed by the Registrar (Judicial) will survive.

7. Both applications are disposed of accordingly.

JUDGE