

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

CIVIL APPLICATION (CAO) NO.934/2023
IN
MISC. CIVIL APPLICATION ST. NO.12069/2023
IN
FIRST APPEAL ST. NO.18684/2022

Punjabrao Laxmanrao Rekhe Patil

Vs.

Joint Charity Commissioner, Amravati and another

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

Court's or Judge's orders

Shri S.D. Abhyankar, Advocate for applicant

CORAM : SMT. M.S. JAWALKAR, J.
DATED : 17/07/2023

The application is filed for condonation of delay of 150 days in filing application for restoration of First Appeal. First Appeal Stamp No.18684/2022 came to be dismissed for want of removal of office objections by the order of the Register (Judicial) dated 31/01/2023. Due to inadvertent mistake on the part of the Advocate, the objections could not be removed and when it was noticed, the matter was dismissed.

2. The application is supported by affidavit of Advocate.

3. As such, I am inclined to allow the application, the delay in filing restoration application is hereby condoned.

5. The Registry is directed to register the Misc. Civil Application.

6. The application stands disposed of accordingly.

MISC. CIVIL APPLICATION ST. NO.12069/2023

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 31/01/2023, for removal of office objections. After lapse of 14 days period, the First Appeal Stamp No.18684/2022 is dismissed.

2. It is submitted that due to inadvertent mistake on the part of Advocate, the office objections could not be removed. However, as the application is supported by affidavit of learned Counsel for appellant, the application is allowed.

3. The order passed by the Registrar (Judicial) dated 31/01/2023 is hereby set aside.

4. The Registry is directed to register the First Appeal on its original stamp number.

5. After registration of First Appeal, appellant to remove office objections within two weeks.

6. The application stands disposed of accordingly.

JUDGE

R.S. Sahare