



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

CIVIL APPLICATION (CAO) NO. 263 OF 2021
IN
MISC. CIVIL APPLICATION (ST.) NO.12123 OF 2020
IN
FIRST APPEAL (st.) NO. 16615 OF 2019

Sudamrao S/o. Mahadeorao Umekar and other
VS.
The State of Maharashtra and others.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions Court's or Judge's orders.
and Registrar's Orders.

Ms Krishna Patel, Adv. h/f. Mr S. S. Shingane, Advocate for the appellans
Ms Trupti Udeshi, AGP for the State
Mr M. A. Kadu, Advocate for respondent No.3

CORAM : G.A. SANAP, J.
DATE : OCTOBER 6, 2023.

Heard.

2. Issue notice to the respondents.
3. Learned AGP waives service of notice on behalf of respondent Nos. 1 and 2/State.
4. Learned Advocate Mr. M. A. Kadu, waives service of notice on behalf of respondent No.3.
5. This is an application for condonation of 295 days delay caused in filing application for setting aside order dated 21.01.2020.

6. In view of the reasons stated in the application, the application is allowed.

7. The delay of 295 days stand condoned.

8. The restoration application be registered.

9. However, it is made clear that from the date of dismissal till date the appellants shall not be entitled to get the interest or any other statutory benefit for this delayed period.

10. The civil application stands **disposed of**, accordingly.

MISC. CIVIL APPLICATION (St.) NO.12123 of 2020

11. Heard.

12. Learned AGP waives service of notice on behalf of respondent Nos. 1 and 2/State.

13. Learned Advocate Mr. M. A. Kadu, waives service of notice on behalf of respondent No.3.

14. It is stated that the first appeal was under office objection. The office objections could not be removed and therefore, the appeal was dismissed. It is stated that due to oversight of the advocate the matter could not be attended. In view of the reasons stated in the application, the application is allowed. The dismissal order is set aside.

15. The First Appeal (st.) No.16615 of 2019 be restored to its original file.
16. The office objections in First Appeal (st.) No.16615 of 2019 be removed within two weeks.
17. The Misc Civil Application stands **disposed of**, accordingly.

(G. A. SANAP, J.)

Namrata