

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

CIVIL APPLICATION (CAO) NO. 989/2023
IN
MISC. CIVIL APPLICATION STAMP NO.13290/2023
IN
FIRST APPEAL STAMP NO. 9899/2021

Rajeshkumar Anandchand Gujarathi and another
Vs.

The State of Maharashtra through Collector, Akola and another

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

Court's or Judge's orders

Shri VA. Lohia, Advocate h/f Shri D.R. Khapre, Advocate for appellants
Ms T.H. Udeshi, AGP for respondent No.1

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

DATE : 02/08/2023

Present application is filed for condonation of delay in filing restoration application. It appears that the appeal was listed before the Registrar (Judicial) on 25/11/2021 and 12/07/2022 and was dismissed vide conditional order dated 18/04/2023. However, inadvertently it remained to be noted that registration of appeal came to be refused on 02/05/2023. As such there is delay of 64 days in filing restoration application. The application is supported by affidavit. However, no due diligence is shown by learned Counsel, it is subject to deposit of Rs.1000/- to be deposited

with High Court Bar Library, within three weeks.

2. As such, delay in filing application for restoration is hereby condoned, subject to above condition.

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

4. Application stands disposed of.

MISC. CIVIL APPLICATION STAMP NO. 13290/2023

For the reasons stated in the application, order dated 18/04/2023 and 02/05/2023, passed by Registrar (Judicial), is hereby set aside.

2. Registry is directed to register First Appeal Stamp No. 9899/2021 on its original stamp number, subject to deposit of costs as directed in Civil Application No. 989/2023

3. After registration of the first appeal, appellant to remove office objection within two weeks.