

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

CIVIL APPLICATION (O) NO. 396 OF 2023
IN
MISC.CIVIL APPLICATION (St.) NO.13542 OF 2022
IN
SECOND APPEAL (St.) NO. 27067 OF 2018 (Rejected)
RUPRAO NAMDEORAO MANDEKAR AND OTHERS
VS
MOHAN MANOHARRAO LAD AND 2 OTHERS

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

Court's or Judge's Orders.

Shri. H. R. Dhumale, Advocate for applicants.

CORAM : SMT.M.S.JAWALKAR J.
DATE : 21/03/2023

The present application is filed for condonation of delay of 578 days in filing the restoration application.

2. It is stated that the earlier counsel of applicants though communicated the order passed, but due to miscommunication between the applicants and their earlier counsel, the conditional order passed by Registrar (Judicial) could not be communicated to the applicants properly. Therefore, the office objections could not be removed and on the same

ground, the registration of Second Appeal came to be refused as per order dated 17/01/2019.

3. The earlier Advocate Shrikant Saoji died due to COVID. When this information received by the applicants they collect the papers and engaged another counsel.

4. In view of the explanation given by the applicants, delay caused in filing restoration application is hereby condoned. The Registry is directed to register the restoration application.

5. Civil Application is disposed of.

MISC.CIVIL APPLICATION (St.) NO.13542 OF 20022

Present application is filed for restoration of Second Appeal (St.) No. 27067 of 2018. The restoration of the said appeal was on a conditional order passed by the learned Registrar (Judicial) on 17/01/2019.

2. For the reasons stated in the application, the same is allowed. The order passed by the Registrar(Judicial) in Second Appeal (St.)No.27067 of 2018 is hereby quashed and set aside.

3. The Registry is directed to restore the Second Appeal on its original stamp number. After registration of Second Appeal, the appellants to remove office objections within two weeks.
4. Misc. Civil Application stands disposed of.

JUDGE