



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

CIVIL APPLICATION (CAO) NO. 1101 OF 2023
IN
MISC. CIVIL APPLICATION (ST.) NO. 15489 OF 2023
IN
REJ. MISC. CIVIL APPLICATION (ST.) NO. 9513 OF 2023
IN
REJ. SECOND APPEAL (ST.) NO. 19225 OF 2022

MAHADEV S/O. PUNDLIK LOHANDE

...VERSUS...

SMT. MAINABAI NARAYANRAO DABHEKAR

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

Court's or Judge's order

Shri T.S.Deshpande, Advocate for appellants.

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

DATE : 30th AUGUST, 2023

The present application is filed for condonation of delay of 26 days in filing restoration application.

2. The Registrar (J) refused to register the Second Appeal (St.) as the appellant failed to remove office objection. The learned Registrar (J) passed said conditional order on 05/01/2023. The reason putforth for non-removal of office objection is that the concerned learned counsel had not received mail from the office of the impugned order. As such, I am satisfied that there is no intentional or deliberate delay in filing restoration application. Accordingly, the application is allowed.

3. Delay in filing restoration application is hereby condoned.

4. Office is directed to register restoration application i.e. MCA (St.) 15489/2023.

5. Accordingly, the application stands disposed of.

MISC. CIVIL APPLICATION (ST.) NO. 15489 OF 2023

The present application is filed for restoration of Misc. Civil Application (St.) No. 9513 of 2023 in SA(St.) 19225/2022.

2. It appears that MCA (St.) no. 9513/2023 came to be dismissed vide conditional order of Registrar (J) dated 22/06/2023 in which the present MCA(St.) is filed.

3. For the reasons stated in the application, the application is allowed, subject to costs of Rs. 1,000/- to be deposited with the Library of High Court Bar Association, Nagpur within a period of two weeks.

4. On payment of costs, Office is directed to restore MCA (St.) 9513/2023 in SA St. No. 19225/2022, on its original number.

5. The matter to be listed after payment of costs and restoration of same.

6. Accordingly, the application stands disposed of.

(Smt. M.S. Jawalkar, J.)

B.T.Khapekar