

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

CIVIL APPLICATION (CAO) NO. 33 OF 2023

IN

MISC. CIVIL APPLICATION (ST.) NO. 15814 OF 2022

IN

SECOND APPEAL (ST.) NO. 6836 OF 2022 (REJECTED)

Smt. Mahananda Shaligram Ahir and others

...**VERSUS**...

Smt. Ramabai Haribhau Ahir

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

Court's or Judge's order

Shri D.S.Patil, Advocate for appellants/applicants.

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

DATE : 10th JANUARY, 2023

The present application is filed for condonation of delay in filing application for restoration of Second Appeal.

2. The Second Appeal was dismissed/refused vide order dated 23/06/2022 by Registrar (J) as the matter was not inadvertently marked and the office objections were remained to be removed and dismissal order also was not noticed.

3. The application is supported by affidavit of the counsel. For the reasons stated in paras 3, 4 and 8, delay of 76 days is hereby condoned, subject to costs of Rs. 1,000/- to be paid to High Court Bar Association's Library, Nagpur within a period of two weeks.

4. The Registry is directed to register the restoration application (MCA ST. No. 15814 OF 2022) for restoring the Second Appeal.

5. Accordingly, the application is disposed of.

MISC. CIVIL APPLICATION (ST.) NO. 15814 OF 2022

For the reasons stated in the application, application is allowed. Order refusing the registration of Second Appeal dated 23/06/2022 is hereby set aside.

2. Registry is directed to register the Second Appeal on its Stamp No. 6836 of 2022.

3. After registration of Second Appeal on its stamp number, the appellants/applicants to remove office objection within two weeks.

4. The application is disposed of accordingly.

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

B.T.Khapekar