

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

CIVIL APPLICATION (CAO) NO.933/2022

IN

MISC. CIVIL APPLICATION ST. NO.15907/2022

IN

SECOND APPEAL ST. NO.10192/2022 (REJECTED)

Devidas Nathuji Dhoke

Vs.

Shalikram Ziblati Padole and others

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

Court's or Judge's orders

Shri R.M. Ahirrao, Advocate for applicant

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

DATED : 16/02/2023

The present application is filed for condonation of delay in filing Review Application against the order of the Registrar (Judicial) dated 25/08/2022 by which Registration of Second Appeal was refused for want of removal of office objections.

2. It is submitted that though time for four weeks was sought for, only one week time was granted. However, documents could not be received in that period. As such, the appeal was dismissed on 25/08/2022.

3. For the reasons stated in the application, the application is allowed. The delay in filing Revision Application is hereby condoned.

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

5. The applications stands disposed of.

MISC. CIVIL APPLICATION ST. NO.15907/2022

1. The present application is filed for restoration of Second Appeal of which registration was refused by the Registrar (Judicial). It appears that four weeks time was sought for as some documents are required to remove office objections. However, the Registrar (Judicial) granted one week time which was expired on 25/08/2022. As such, office objections remained to be removed and registration was refused.

2. In view thereof, I am inclined to allow the application. The application is allowed. The order dated 25/08/2022 passed by the Registrar (Judicial) is hereby set aside.

3. The Registry is directed to restore the Second Appeal on its original stamp number.

4. The application stands disposed of.

5. The learned Counsel for applicant requests for grant of four weeks time to remove office objections after restoration of Second Appeal on its original stamp number.

6 Time is granted as prayed.

JUDGE*R.S. Sahare*