

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

CIVIL APPLICATION (O) NO.824 OF 2022

IN

MISC. CIVIL APPLICATION (ST) NO.16567 OF 2022

IN

FIRST APPEAL (ST) NO.7480 OF 2017

[Champat Januji Walke and Ors. ..V/s.. The State of Maharashtra and Ors.]

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

Court's or Judge's order

Mr A. R. Ingole, Advocate for Applicants/Appellants.
 Mr M. A. Kadu, AGP for Respondent Nos.1 and 2.
 Mr T. M. Zaheer, Advocate for Respondent No.3.

CORAM : URMILA JOSHI-PHALKE, J.

DATE : 14th MARCH, 2023.

1. This application is for condonation of delay of 1199 days, which is caused in preferring the restoration application. The appeal is already dismissed as the office objection was not removed.

2. The ground raised by the applicants is that inadvertently the office objection remained to be removed, as it was not noted by the Counsel.

3. In view of the reasons mentioned in the application, civil application is allowed. Delay of 1199 days caused in preferring the appeal is condoned subject to the waiver of the interest for the delayed period, if the claimants succeed in enhancement of the compensation.

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4. On removal of the office objection within two weeks, the appeal be restored at its original stage of registration. On

failure to remove the office objection within two weeks, the earlier order passed by the Registrar (Judicial) will survive.

5. Both the civil applications are disposed of accordingly.

JUDGE