

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

CIVIL APPLICATION (CAO) NO.275/2018

IN

MISC. CIVIL APPLICATION ST. NO.18990/2017

IN

LETTERS PATENT APPEAL NO.407/2017 (ST. NO.5156/2013)

IN

WRIT PETITION NO.2451/2011 (D)

Prabhakar s/o Mahadeorao Bangre

...Versus...

**Maharashtra State Road Transport Corporation, through its Divisional
Controller, Tukumb Road, Durgapur, Chandrapur**

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

Court's or Judge's orders

Shri C.V. Jagdale, Advocate for applicant
Shri V.H. Kedar, Advocate for respondent

CORAM : AVINASH G. GHAROTE, J.

DATE : 21/03/2023

1. The civil application seeks condonation of delay of 04 years and 76 days in filing application for restoration of letters patent appeal, which was dismissed for non-removal of office objections by the order dated 29/04/2013.
2. Shri C.V. Jagdale, learned counsel for the applicant, upon instructions, makes a statement that in case the appeal is allowed and any monetary benefits are receivable, the applicant/appellant shall not claim any interest on such

monetary benefits for the duration of delay of 04 years 76 days. He also expresses his willingness to pay costs of Rs.2,000/- to be paid to the High Court Bar Association, Nagpur, accepting which statement, the delay is condoned, though there is objection of Shri V.H. Kedar, learned counsel for the respondent.

3. The civil application is allowed, subject to payment of costs of Rs.2,000/- to be paid to the High Court Bar Association, Nagpur.

MISC. CIVIL APPLICATION ST. NO.18990/2017

1. The misc. civil application seeks restoration of Letters Patent Appeal St. No.5156/2013.

2. Considering the reasons given in the application and the undertaking by Shri C.V. Jadgale, learned counsel for the applicant to remove the office objections by the end of this week, the order dated 29/04/2013 is set aside and the matter is restored to its original file.

3. The misc. civil application is allowed and disposed of accordingly. No order as to costs.

(AVINASH G. GHAROTE, J.)

Wadkar