



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

**CIVIL APPLICATION (CAO) NO. 1478/2023**

**IN**

**MISC. CIVIL APPLICATION STAMP NO. 20309/2023**

**IN**

**SECOND APPEAL STAMP NO. 11225/2022 (REJECTED)**

Anjanabai Wd/o Gyaniram Borkar

Vs.

Gyaniram S/o Motiram Kamble and others

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

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Shri Nandeshwar Chaware, Advocate h/f ShriS.G. Karmarkar, Advocate for appellant  
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**CORAM : SMT. M.S. JAWALKAR, J.**

**DATE : 14/12/2023**

Present application is filed for condonation of delay in filing application for restoration of Second Appeal Stamp No. 11225/2022. It appears that there is 407 days delay in filing application for restoration. Reason for the delay is submitted that the matter was inadvertently not marked and it went unnoticed. It came to the knowledge after passing of order when matter was attempted to be circulate. Though, I am inclined to allow the application,

as no due diligence is shown, I am allowing the application, subject to costs. Accordingly, application is allowed, subject to payment of costs of Rs.1000/-, to be paid to High Court Bar Association, within a period of two weeks.

2. Application stands disposed of.

3. Registry is directed to register Misc. Civil Application.

**MISC. CIVIL APPLICATION STAMP NO. 20309/2023**

Present application is filed for restoration of Second Appeal Stamp No. 11225/2022. It appears that Second Appeal Stamp No. 11225/2022, was listed before the Registrar on 04/08/2022 and two weeks time was granted to remove office objection with an application for condonation of delay, failing which, Registrar (Judicial) ordered that it shall stand refused. It is submitted that order dated 04/08/2022 inadvertently could not be noticed and therefore, objections could not be removed within stipulated period and second appeal came to be dismissed.

2. For the reasons stated in the application, application is allowed.

3. Order passed by learned Registrar (Judicial), dated 04/08/2022, is hereby set aside.

4. Registry is directed to register Second Appeal on its original number 11225/2022, subject to payment of costs as directed in Civil Application No. 1478/2023.

5. After restoration of second appeal, appellant to remove office objections within two weeks.

6. Application stands disposed of.

**(SMT. M.S. JAWALKAR, J.)**