



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

CIVIL APPLICATION (CAO) NO. 1314/2023 IN
MISC. CIVIL APPLICATION STAMP NO. 21017/2023

Chandrakant Kisan Bangar and others

Vs.

Ramnath Baikunth Pande

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

Court's or Judge's orders

Shri N.R. Saboo, Advocate for applicant

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

DATE : 17/10/2023

Present application is filed for condonation of delay in filing application for setting aside order passed by Registrar (Judicial), thereby registration of second appeal is refused. It is submitted that due to oversight, matter could not be marked and it was listed before the Registrar (Judicial), to remove office objection. The learned Registrar (Judicial), passed conditional order dated 05/01/2023, and appeal came to be dismissed for want of removal of office objection. Though, I am inclined to allow

the application, as no due diligence is shown by learned Counsel, it is subject to costs. Accordingly, delay in filing Misc Civil Application for setting aside order passed by Registrar (Judicial), dated 05/01/2023, is hereby condoned, subject to cost of Rs.3000/-, to be paid to the High Court Legal Services Sub Committee.

2. Registry is directed to register Misc. Civil Application, subject to deposit of costs as stated above.

MISC. CIVIL APPLICATION STAMP NO. 21017/2023

It appears that registration of second appeal stamp No. 18914/2022, was rejected for want of removal of office objection. For the reasons stated in the application, I am satisfied that due to inadvertent mistake, the office objection could not be removed. As such, application is allowed.

2. Registry is directed to restore second appeal on its original stamp No. 18914/2022, subject to payment of costs as directed in Civil Application No. 1314/2023.

3. After registration of the same, appellant to

remove office objection, within one week. Matter be listed thereafter for admission.

4. Till matter is to be restored to its original stamp number, the parties are directed to maintain status quo as on today.

5. Hamdast granted.

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