

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

CIVIL APPLICATION (CAO) NO. 35 OF 2023
IN
MISC. CIVIL APPLICATION (ST.) NO. 21391 OF 2022
IN
SECOND APPEAL (ST.) NO. 3884 OF 2020 (REJECTED)

1) Smt. Kausalyabai W/o. Baburao Borkar (dead), 2) Smt. Kunda Wd/o. Sidharth Borkar and others

...VERSUS...

Smt. Sunita W/o. Suresh Patne

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

Court's or Judge's order

Shri V.K.Kolte, Advocate Advocate for appellants/applicants.

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

DATE : 10th JANUARY, 2023

The present application is filed for condonation of delay in filing restoration application.

2. It is submitted that the delay is caused as the learned counsel inadvertently had lost the track of the matter and office objection could not be removed.

3. For the reasons stated in the application, delay in filing restoration application is hereby condoned, subject to costs of Rs. 1,000/- to be paid to the High Court Bar Association's Library, Nagpur within a period of two weeks.

4. The Registry is directed to register the restoration application (MCA ST. No. 21391 of 2022) for restoring the Second Appeal.

5. Accordingly, the application is disposed of.

MISC. CIVIL APPLICATION (ST.) NO. 21391 OF 2022

The conditional order for removal of office objections was passed on 16/12/2021. In view of the Hon'ble Apex Court's order, the said period for removal of office objections was extended till 10/04/2022. Thereafter, for non-removal of office objections by the applicants, the matter was dismissed.

2. For the reasons stated in the application, application is allowed. The order passed by Registrar (J) dated 16/12/2021 is hereby set aside.

3. Registry is directed to register the Second Appeal on its Stamp No. 3884 of 2020.

4. After registration of Second Appeal on its stamp number, the appellants to remove office objections within two weeks.

5. The application is disposed of accordingly.

(Smt. M.S. Jawalkar, J.)

B.T.Khapekar