

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 16584 OF 2022
WITH
INTERIM APPLICATION NO. 16585 OF 2022
WITH
INTERIM APPLICATION NO. 18410 OF 2022
IN
FIRST APPEAL (ST) NO. 9174 OF 2021**

Executive Engineer, Nandur Madhyameshwar
Project, Division Nashik

**...Applicant/
Appellant**

Versus

Bhavani Laxman Gowardhane (Deceased)
through LR Navnath Bhavani Gowardhane & Ors.

...Respondents

**Ms. Chaitrali Deshmukh, for the Applicant/Appellant.
Ms. Tanaya Goswami, AGP, for the Respondent-State.**

**CORAM Dr. Neela Gokhale, J.
DATED: 11th January 2024**

PC:-

1. The application seeks to recall and set aside order dated 22nd September 2022, whereby the First Appeal was dismissed for failure on the part of Applicant/Appellant to remove office objections.

2. Ms. Chaitrali Deshmukh, learned Counsel for the Applicant/Appellant says that she had instructed her clerk to remove the office objections and inadvertently, her clerk failed to do so. The First Appeal was thus dismissed for want of removal of the office objections within the stipulated time.

3. Since the lapse is an inadvertent error on the part of the advocate and her clerk, I am of the view that sufficient cause has been made out to recall the order dated 22nd September 2022 and restore the First Appeal to its original file.

4. In view of foregoing, all the applications stand disposed accordingly.

(Dr. Neela Gokhale, J.)

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