

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

CIVIL APPLICATION (CAO) NO. 261 OF 2024
IN
CIVIL APPLICATION (CAO) NO. 1274 OF 2023

Shri Baburao Ganesh Marbate and another

Vs.

Shri. Prakash S/o Raghunath Mahalgave (Dead) through LRS. Shobha Wd/o Prakash Mahalgave
and others

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

Court's or Judge's orders

Shri V.R. Thote, Advocate for the applicants

CORAM : SMT M.S. JAWALKAR, J.

DATE : 20.12.2024

The present application is filed for modification/extension of time to deposit cost as well as to remove office objections in the dismissed in default matter. This Court vide order dated 11/10/2023, delay in filing restoration of application was condoned, subject to cost of Rs.1000/-, to be deposited within period of two weeks. By the said order itself, two weeks time granted to remove office objections. However, it is contended by the learned Counsel appearing on behalf of the applicant that in spite of deposit of Rs.1000/- with the earlier Counsel, he has not deposited the same and the appellant was under impression that cost amount is deposited. As such, applicant seeks permission to deposit

the cost as well as to remove office objections by extending the period. Considering the reason, the application is allowed, subject to additional cost of Rs.500/-, to be deposited to High Court Legal Services Sub-Committee, Nagpur. The appellant shall deposit the same by 08/01/2025 and also remove the office objections.

2. Office to take note.
3. After deposit of cost as directed above, office to re-register Second appeal with original stamp number.
4. Application stands disposed of.

(SMT M.S. JAWALKAR, J.)