

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

CIVIL APPLICATION (CAO) NO.646/2024 IN
MISC. CIVIL APPLICATION (ST.) NO.8806/2024 IN
MISC. CIVIL APPLICATION (ST.) NO.20083/2023 (REVIEW) IN
CIVIL APPLICATION (CAO) NO.136/2022 IN
MISC. CIVIL APPLICATION (ST.) NO.1150/2022 IN
SECOND APPEAL NO.53/2013 (D)

Dilip s/o Moreshwar Wasamwar Vs.

Amarsingh s/o Gurudipsingh (dead) thr. LR's Manusingh s/o Amarsingh 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 A.K. Waghmare, Advocate for appellant

CORAM : SMT. M.S. JAWALKAR, J.
DATED : 14/06/2024

The application is filed for condonation of delay of 119 days in filing revision against the order passed by Registrar (Judicial), for refusal of registration for want of removal of office objections.

2. It appears that on 07/12/2023, conditional order came to be passed whereby Registrar (Judicial) granted 14 days time to remove office objections and for filing application for condonation of delay. As the said objections were not removed, the registration of Misc. Civil Application (Review) St. No.20083/2023 was refused and matter was disposed of. It is submitted that due to mistake on the part of clerk of Advocate, objections could not be removed within time. When circulation was sought for admission, this order came to the knowledge of appellant that the registration of the same is refused and it was disposed of. As application could not be filed within time,

present application for condonation of delay is filed.

3. As such, I am inclined to allow the application, subject to costs of Rs.2000/-, as Advocate has not shown due diligence. Accordingly, the application is allowed.

4. The delay in filing restoration application is hereby condoned subject to costs of Rs.2000/- to be paid to the High Court Bar Library, Nagpur within a period of one week.

5. The Registry is directed to register the Misc. Civil Application St. No.8806/2024.

6. The application stands disposed of accordingly.

MISC. CIVIL APPLICATION ST. NO.8806/2024

1. For the reason stated in the application, the application is allowed.

2. The order passed by the Registrar (Judicial) is hereby set aside.

3. The Registry is directed to register the Misc. Civil Application (Review) St. No.20083/2023, subject to payment of costs as directed above.

4. After registration of Misc. Civil Application (Review) St. No.20083/2023, list the matter for admission.

JUDGE

R.S. Sahare