



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

MISC. CIVIL APPLICATION NO. 107/2024

Parasram Rajaram Pagalwad and anr. .Vs. Union of India.

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

Court's or Judge's orders

Mr. D. S. Lambat, Advocate for applicant.

CORAM : ANIL L. PANSARE, J.

DATE : 15.02.2024

By the present application, the applicant is seeking to restore First Appeal Stamp No.2574/2023, by setting aside the order dated 04.07.2023, passed by Registrar (Judicial).

The counsel for the applicant has tendered across the bar, order of Registrar (Judicial), which indicates that despite couple of opportunities, the applicant failed to remove the office objections and, therefore, the Registrar (Judicial) was left with no other alternative but to refuse the registration of the appeal.

Experience shows that the advocates do not take Registrar's court seriously. This fact has been proved by pleadings made in the application, wherein applicant states that the clerk has inadvertently failed to mark the matter. The pleadings indicate that the job was left to the clerk and even the clerk appears to have ignored the Registrar's court by not marking the matter. In that sense, the Registrar's court is taken for granted.

In the circumstance, but considering the involvement of rights of the applicant in filing first appeal, the application is allowed subject to costs of Rs.5,000/- to be deposited with Maharashtra State Legal Services Authority, Nagpur within

two weeks from today, failing which the application shall stand dismissed without further reference to this Court. If the amount is deposited, the appeal shall stand restored on the file and the applicant shall remove the office objections within one week thereafter, failing which the application shall stand dismissed without reference to the court.

The applications is disposed of in the above terms.

At this stage, learned counsel for the applicant made a request to reduce the amount of costs by giving an assurance that henceforth he will attend the court matters including Registrar's court diligently.

In view of the assurance given, the amount of costs is reduced to Rs.1,000/-.

(Anil L. Pansare, J.)