



)-4-2024

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

CIVIL APPLICATION (O) NO. 4 OF 2024
AND MISC. CIVIL APPLICATION ST. NO. 19368 OF 2023
IN FIRST APPEAL ST. NO. 12161 OF 2021
(Kashinath Waman Kakad Vs. The State of Maharashtra & Ors.)

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

Court's or Judge's orders.

Shri R.N. Ghuge, Counsel for the applicant/appellant.
Ms M.R. Kavimandan, A.G.P. for the respondents/State.

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CORAM : ANIL L. PANSARE, J.
JANUARY 3, 2024.

By the present application, the applicant/appellant is seeking to condone delay of 76 days in filing application for restoration of the First Appeal as also for restoration of appeal.

2] It appears that the First Appeal was dismissed as the appellant failed to remove office objections despite ample opportunity.

3] Thus, the appellant is not only negligent in removing office objections but is also negligent in taking steps in time. The reason for delay is that the learned Counsel has not taken note of the order passed by the Registrar (Judicial).

4] However, considering the involvement of valuable rights of the appellant, the application seeking to condone delay of 76 days in filing application for restoration of First Appeal is allowed subject to costs of Rs.5,000/- to be paid by the appellant to the High Court

Legal Services Sub-Committee, Nagpur. The costs shall be deposited within seven working days and upon depositing costs, First Appeal be restored on file. Upon restoration of First Appeal, the appellant shall remove office objections within ten working days failing which the appeal shall stand dismissed without further reference to the Court including the Court of Registrar.

5] The Civil Applications are disposed of in the above terms.

(ANIL L. PANSARE, J.)

Sumit