



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

Civil Application (CAO) No. 174 of 2024

with

Misc. Civil Application St. No. 22052 of 2023

in

First Appeal St. No. 2897 of 2023

[V.I.D.C. through its Executive Engineer, Amravati Project Construction Division, Amravati ..vs..
Prabhakar Panjabrao Patil (Dhepe) and ors.]

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

Court's or Judge's orders

Smt. A. S. Athalye, Advocate for the applicants/appellants
Mrs. D. I. Charlewar, AGP for non-applicant nos. 2 and 3

CORAM : ANIL L. PANSARE J.

DATED : 07-02-2024

Heard.

The applicant - V.I.D.C. is praying for condonation
of delay of 84 days in filing restoration application.

It appears that appeal filed by V.I.D.C. came to be
dismissed for non removal of office objections. Learned
counsel for the applicant submits that mistake has
occurred because of clerk, being new, who could not
remove office objections in time.

The fact of dismissal was not known to the
learned counsel for the applicant/appellant. She came to
know about dismissal of appeal when V.I.D.C. issued a
cheque for depositing compensation amount in the
Court, learned counsel circulated the matter for the
same, when she came to know about the order of
dismissal.

In view of the above and for the reasons stated in the applications, the applications are allowed. First Appeal St. No. 2897/2023 is restored. Learned counsel for the appellant undertakes to remove office objections within seven working days.

If the office objections are not removed within seven working days, the appeal shall stand dismissed with costs of Rs. 10,000/- to be deposited with the High Court Legal Services Sub Committee, Nagpur.

If office objections are removed within time, notice be issued to the non-applicants on Civil Application St. No. 2898 of 2023, returnable after two weeks.

Learned AGP waives notice for non-applicant nos. 2 and 3

(Anil L. Pansare, J.)