



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

CIVIL APPLICATION (CAO) No.916 OF 2024
IN
MISC. CIVIL APPLICATION ST. No.12476 OF 2024
IN
FIRST APPEAL ST. No.18195 OF 2016 (D)

(Ananta s/o. Ranganath Awari Vs. Western Coalfields Limited, through its Chief General Manager, Majri, Tah. Bhadrawati, Distt. Chandrapur)

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

Court's or Judge's orders.

Mr. A.B. Nakshane, Advocate for appellant.

CORAM : SANJAY A. DESHMUKH, J.
DATE : 1st AUGUST, 2024.

1. This is an application for condonation of delay of 2013 days in filing restoration application.
2. Learned Advocate for the appellant submits that delay is not deliberately caused, the reason is that there was no proper communication between the appellant and his counsel, therefore, delay was caused.
3. Perused the application.
4. Considering the grounds and reasons stated in the application, the application deserves to be allowed in the interest of justice.
5. The application is allowed.
6. In view of judgment of Hon'ble Supreme Court in the case of **Imrat Lal and others Vs. Land Acquisition Collector and others**, reported in **2014(14) SCC 133** by adopting liberal approach though there is delay of 2013

days, the application deserves to be condoned in the interest of justice.

7. The application is, therefore, allowed.

8. The delay of 2013 days in filing restoration application is condoned.

9. The application is disposed of.

MISC. CIVIL APPLICATION ST. No.12476 OF 2024.

1. This is an application for restoration of the appeal rejected due to non-removal of office objections by the order of Registrar (Judicial) dated 4.1.2017.

2. Perused the application.

3. Heard learned Advocate for the appellant.

4. For the reasons stated in the application, the application deserves to be allowed in the interest of justice.

5. The application is allowed.

6. The appeal is restored on its original stamp number, subject to condition that all office objections be removed within two weeks.

7. It is clarified that if the office objections are not removed within two weeks, the application shall stand rejected without further reference to the Court.

(SANJAY A. DESHMUKH, J.)