



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

CIVIL APPLICATION (CAO) No.1236 OF 2024
IN
MISC. CIVIL APPLICATION ST. No.19217 OF 2024
IN
FIRST APPEAL ST. No.5313 OF 2019

(Vasant s/o. Vithoba Warghane and another Vs. The State of Maharashtra, through its
Collector, Wardha and others)

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

Court's or Judge's orders.

Mr. A.R. Ingole, Advocate for appellants.
Ms. H.S. Dhande, AGP for respondent Nos.1 and 2.

CORAM : SANJAY A. DESHMUKH, J.
DATE : 4th OCTOBER, 2024.

1. This is an application for condonation of delay of 1094 days caused for filing the application for restoration of the appeal, which was dismissed for non-removal of office objections.
2. Perused the application.
3. Heard learned Advocates of both sides.
4. Ms. H.S. Dhande, learned A.G.P. strongly opposed the application.
5. Learned Advocate for the applicants pointed out that because of poor financial position of the applicants they could not provide money for paying the Court fees. Therefore, delay is caused.
6. On perusal of the grounds raised in the application it appears that the delay is not deliberately

caused.

7. Considering the fact that the applicants are poor farmers, the application deserves to be allowed without costs.

8. The application is allowed.

9. The delay of 1094 days caused for filing application for restoration of the appeal is condoned.

10. The application is disposed of.

MISC. CIVIL APPLICATION ST. No.19217 OF 2024.

1. This is an application for restoration of the first appeal filed, which was dismissed for non-removal of office objections.

2. Perused the application.

3. Heard learned Advocates of both sides.

4. Learned A.G.P. strongly opposed the application.

5. Learned Advocate for the applicants submits that the applicants are ready to pay the Court fees within two weeks and remove the other office objections within two weeks.

6. Considering the reasons stated in the application, the application deserves to be allowed in the interest of justice.

7. The application is allowed, subject to the condition that the applicants shall remove office objections within two weeks.

8. If the office objections are not removed within two weeks, the application shall be rejected without further order.

9. The application is disposed of.

FIRST APPEAL ST. No.5313 OF 2019.

1. Issue notice to the respondents.
2. Ms. H.S. Dhande, learned A.G.P. waives service of notice on behalf of respondent Nos.1 and 2.

(SANJAY A. DESHMUKH, J.)

Wadode