



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**906 CIVIL APPLICATION NO. 5918 OF 2020
IN RC/858/2019 IN FAST/34541/2018**

ASHATAI HARIBHAU KHEDKAR AND ORS

....Applicants

VERSUS

CHANDRIKA PRASAD PAL S/O RAMCHET PAL AND ORS

.....Respondents

Mr. Rajendra B. Dhakane, Advocate for the applicants

CORAM : ABHAY J. MANTRI, J.

DATE : 04th NOVEMBER, 2025

PER COURT :

1. The applicants/original appellants submitted that due to the non-removal of the office objections within the stipulated time, the registration of the first appeal was refused. However, the applicants have removed the office objections as per this court's order dated 22-09-2025. Therefore, he submitted that the application for restoration of the appeal be allowed by condoning the delay.

2. Having gone through the record, it seems that by order dated 23-07-2019, the registration of the first appeal was refused as the applicants had not removed the office objections. Thereafter, he filed an application for the restoration of the first appeal on 23-01-2020. However, until 22-09-2025, the applicants had not removed

the office objections, and therefore, this court directed the applicants to remove them. Pursuant to this, the applicants have removed the office objections.

3. Considering the beneficial legislation, it would be appropriate to restore the first appeal to its original position by setting aside the order dated 23-07-2019. Similarly, it appears that the registration was refused on 23-07-2019, and the applicants have not removed the office objections until 30-09-2025. Therefore, the first appeal could not be restored to its original position. For that purpose, the applicants would not be entitled to claim interest for the said period, as the appeal was not registered/restored.

4. As a result, the application is allowed as prayed for. The delay of 175 days in filing the application for restoration is condoned. The first appeal is to be restored to its original position.

5. Needless to clarify that the applicants are not entitled to claim any interest from the date of refusal of the registration of the appeal till its restoration.

6. On restoration of the first appeal, issue notice to the respondents, returnable on 16-12-2025.

[ABHAY J. MANTRI, J.]