



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

CIVIL APPLICATION NO.532 OF 2025
IN
MISC. CIVIL APPLICATION ST. NO.9220 OF 2025
IN
FIRST APPEAL ST. NO.4078 OF 2022

Datta Narayan Gughane, Tq. Digra, Dist. Yavatmal
vs.

The State of Maharashtra, Thr. Collector, Yavatmal and ors.

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

Court's or Judge's orders

Shri V. S. Gokhale, Advocate h/f Shri R. J. Shinde, Advocate for the appellant.
Smt Hemlata S. Dhande, Assistant Government Pleader for respondent Nos.1 and 3.
Shri M. A. Kadu, Advocate for respondent No.2.

CORAM : ABHAY J. MANTRI, J.

DATED : 30-07-2025

Heard.

2. Issue notice to the respondents, returnable forthwith.
3. The learned Assistant Government Pleader waives service of notice for respondent Nos.1 and 3.
4. Shri M. A. Kadu, learned Advocate waives service of notice for respondent No.2.
5. The applicant-appellant has filed this application to condone the delay of 926 days in filing application for restoration of the appeal for which learned counsel for the respondents have given no objection as the appeal was dismissed for non-removal of office objections.
6. By order dated 13/09/2022 the application for condonation of delay was dismissed for non-removal of office objections. It further appears from the averments in the application that the attorney of the Advocate appearing for the appellant was aware of the said order dated 13/09/2022.

Despite the said fact, the appellant failed to take steps to remove office objections and restore the matter to its original position. The applicant was negligent in prosecuting the application and therefore, in my view, the application shall be allowed subject to costs.

7. As such, the application for condonation of delay is allowed subject to costs of Rs.2000/- payable to the Government Pleaders' Library on or before 11/08/2025.

8. On removing all office objections and payment of costs of Rs.2000/- to the Government Pleaders' Library on or before 11/08/2025, delay application be restored to its original position.

(ABHAY J. MANTRI, J.)