

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

CIVIL APPLICATION (O) NO.1239 OF 2023

IN

MISC. CIVIL APPLICATION (ST) NO.13732 OF 2023

IN

WRIT PETITION (ST) NO.7815 OF 2021

[Al-falah Education Society and Ors. ..vs.. The State of Maharashtra and Ors.]

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

Court's or Judge's order

Mr S. Magre, Adv. h/f Mr T. S. Deshpande, Advocate for Applicants/Petitioners.
Ms P. C. Bawankule, AGP for Respondent/State.

CORAM : ANIL L. PANSARE, J.

DATE : 21st JANUARY, 2025.

1. Heard.
2. By the present applications, the applicants/petitioners are seeking to condone the delay of 397 days caused in filing application for restoration of petition.
3. The petition came to be dismissed by order of Registrar (Judicial) for non removal of office objections.
4. The counsel for applicants submits that inadvertently he failed to mark the matter, and therefore, office objections could not be removed within time. The counsel, thereafter, in the month of July, 2023, enquired about the petition. He came to know that the petition has been already dismissed for non removal of office objections. Accordingly, he informed the applicants about dismissal of petition and present applications came to be filed.
5. Learned A.G.P. has opposed the applications on the count that the delay is not properly explained.

6. However, it appears that the counsel for applicants failed to mark the petition and thus failed to appear before the Registrar (Judicial).

7. The counsel for applicants submits that he will diligently attend the petition before the Court as well as the Registrar (Judicial) and shall remove the office objections within seven working days, if the petition is restored on file.

8. On the basis of assurance so given and in order to give one more opportunity, the applications are allowed. Delay of 397 days is condoned. The Writ Petition (St.) No.7815 of 2021 is restored on file.

9. The applicants shall remove office objections within seven working days from today, failing which the order of dismissal passed by the Registrar (Judicial) shall stand restored without further reference to the Court.

10. The applications are disposed of accordingly.

JUDGE

TAMBE