

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

CIVIL APPLICATION NO.1041 OF 2025 &
MISC. CIVIL APPLICATION STAMP NO.19189 OF 2025 IN
FIRST APPEAL STAMP NO.16374 OF 2023

VIDC Vs. Mas. Sandeep Haridas Gade (through Father) and others

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

Court's or Judge's orders.

Ms A.S. Athalye, Advocate for appellant.
Shri H.J. Deshmukh, Advocate for respondent no.1.
Shri M.A. Kadu, AGP for respondent no.2.

CORAM : M.W. CHANDWANI, J.
DATE : 03.10.2025.

1. By this application, the applicant is seeking condonation of delay in filing the application for restoration of appeal, which came to be dismissed for non-removal of office objection.
2. The contention is that the counsel for the appellant could not mark the matter and therefore, could not remove the office objection within time.
3. Considering the reasons mentioned in the application and period of delay i.e. 588 days, delay is condoned. For the same reasons, the application for restoration of appeal is allowed subject to payment of costs of ₹2,500/- to the District Bar Association, Gondia and removal of office objections, if any, within four weeks.
4. Both applications stand disposed of.

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5. By this application, respondent no.1 is seeking permission to withdraw the amount deposited by the appellant.

6. For the reasons mentioned in the application and submission of the respective counsels, 75% of the decretal amount alongwith accrued thereon is permitted to be withdrawn by the respondent no.1 upon furnishing usual undertaking to the registry.

7. The application stands disposed of.

JUDGE

Wagh