



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAO) NO. 1414 OF 2023
IN
MISC. CIVIL APPLICATION (ST) NO. 21706 OF 2023
IN
SECOND APPEAL ST NO. 171 OF 2022 (REJECTED)

Smt. Babita Ravindrasingh Thakure (Parle) and ors

Vs.

Smt. Shantabai Gajrajsingh Thakur and ors.

*Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order*

Court's or Judge's Order

Mr. C. B. Dharmadhikari, Advocate for applicants/appellants.

CORAM : ROHIT W. JOSHI, J.

DATE : 09.10.2025.

. Registration of Second Appeal Stamp No.171 of 2022 was refused on account of non-removal of office objections, as per order dated 21.04.2022 passed by the learned Registrar (Judicial). The appellants have filed the Misc. Civil Application St. No. 21706 of 2023, challenging the said order.

2. There is a delay of around 532 days in filing the application, for which a separate application for condonation of delay is filed.

3. Respondent No.2 is shown awaited, however, Advocate S. P. Watkar, has filed appearance on his behalf. The respondents have filed a reply and have opposed the application, stating that the delay is not justifiable.

4. Having regard to the contents of the application and also to the principle that a litigant should not suffer for the mistake of his Advocate or Advocate's Clerk, in this considered opinion of this Court, the delay caused in filing Misc. Civil Application to challenge the order passed by the learned Registrar (Judicial) deserves to be condoned.

5. However, having regard to the delay, it will be appropriate to direct the appellants to pay cost of Rs.5,000/- to the Vidarbha Labour Law Practitioners' Association, Nagpur.

6. For the reasons aforesaid, the Misc. Civil Application is **allowed**. The Second Appeal St. No. 171 of 2022 is restored to file.

7. The appellants are directed to remove all office objections on or before 07.11.2025, failing which, the appeal shall stand dismissed without reference to Court.

(ROHIT W. JOSHI, J.)

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