



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

MISC. CIVIL APPLICATION (CAO) NO.338 OF 2024
IN
MISC. CIVIL APPLICATION STAMP NO.2946 OF 2024
IN
CIVIL REVISION APPLICATION STAMP NO.7600 OF 2020

Smt. Rajlaxmi Dattatraya Karhe and others
Vs.
Dr. Rameshchandra s/o Shankarlal Sabu and another

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

Court's or Judge's orders

Mr. Sagar Tambhekar, Counsel h/f Mr. S. S. Deshpande, Counsel for the applicants.
Mr. M. G. Sarda, Counsel for the non-applicants.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 22/01/2025

1. By this application, the applicants are seeking condonation of delay which is caused in preferring the restoration application.

2. As per the contention of the applicants that due to the COVID-19 pandemic, the matter was listed before the Registrar (Judicial) on 13.09.2021 for removal of the office objections, but due to the COVID-19 pandemic situation and restrictions were imposed, the applicants could not appear and remove the office objections. At that time, the father of the applicant's Counsel was also expired during that period and therefore, the delay is caused.

3. The said application is strongly opposed by the non-applicants on the ground that there is no sufficient and reasonable cause for condonation of delay.

4. After hearing the learned Counsel for the applicants and the grounds raised in the application which appears to be just and reasonable cause for the condonation of delay. In view of that, the delay of 311 days is hereby condoned subject to the costs of Rs.2000/-. The cost be paid to the non-applicants. On payment of the cost, the restoration application be registered.

5. Civil Application is disposed of.

MISC. CIVIL APPLICATION STAMP
NO.2946 OF 2024

1. By filing the Civil Revision Application, the applicant has challenged the order of rejection of the application filed under Order VII Rule 11 of the Code of Civil Procedure. The application was pending before the Registrar (Judicial) for removal of the office objections, but due to the COVID-19 pandemic situation and due to the death of the father of the applicant's Counsel, they could not attend the proceeding before the Registrar (Judicial) and therefore, the Civil Revision Application was dismissed for want of prosecution.

2. Learned Counsel for the applicants submitted that there is a sufficient reason for the non-appearance, if the opportunity is not granted to the applicants to cause their litigation on its own merits, irreparable loss would be caused to them.

3. The said application is strongly opposed by the non-applicants on the ground that there is no sufficient reason as far as the restoration application is concerned. In view of that, the application deserves to be rejected.

4. After hearing both the sides and on considering the grounds raised in the application, the application deserves to be allowed and the Civil Revision Application be restored at its original stage.

5. The applicants shall remove the office objections within two weeks, after its restoration.

6. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)