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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CIVIL APPLICATION NO. 3787 OF 2015
IN WP/743/1998

THE PRESIDENT / SECRETARY, GRAM VIKAS MANDAL, DHULE AND
ANOTHER

VERSUS

GOVIND HIRALAL CHAUDHARI, LRS BHAGYASHRI GOVIND
CHAUDHARI AND ANOTHER

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Advocate for Applicants : Mr.Bachate Pralhad D.

Advocate for Respondent Nos.1 and 2 : Mr.S.B.Bhosale h/f Mr.S.P.Brahme.

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CORAM: RAVINDRA V. GHUGE, J.

DATE :- 31st July, 2015

Per Court:

1 This Court had issued notice on 24.03.2015. The record indicates that all Non Applicants have been served. The Applicants pray for condonation of 703 days' delay in filing this Civil Application for recalling of the order dated 11.02.2013 passed by the Registrar refusing registration to Civil Application (Stamp) No.4583/2012.

2 The Applicants submit that Civil Application (stamp) No.4583/2012 was filed so as to bring the legal heirs of the sole Respondent on record. Since the objections were not removed in time,

registration was refused.

3 Shri Bachate, therefore, submits that the delay be condoned and this application be allowed, thereby, restoring Civil Application (stamp) No.4583/2012. He undertakes to remove all office objections.

4 Shri Bhosale appears on behalf of the legal heirs and strenuously opposes the application.

5 For the reasons set out in this Civil Application, the same is allowed. Delay of 703 days is condoned by imposing costs of Rs.3000/- (Rupees Three Thousand) on the Applicant Society. The costs be deposited in this Court within a period of THREE WEEKS from today.

6 After depositing of costs, the Non Applicants shall be at liberty to withdraw the same without any condition. The order dated 11.02.2013 refusing registration to Civil Application (stamp) No.4583/2012 shall stand recalled. The Applicants shall remove all office objections within a period of FOUR WEEKS pursuant to which Civil Application (stamp) No.4583/2012 shall be registered.

7 In the event of non compliance of this order, the same shall

stand recalled, the order 11.02.2013 shall stand restored and then, this Civil Application shall stand rejected.

(RAVINDRA V. GHUGE, J.)