

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.3703 OF 2015
IN
SECOND APPEAL STAMP NO.27588 OF 2014

GURULING NANA SHETE, DIED,
THROUGH HIS LR'S

APPLICANTS

VERSUS

KISAN NANA SHETE

RESPONDENT

Ms.P.G.Sontakke h/f Mr.N.V.Gaware, Advocate for the applicants.
Mr.A.N.Patil h/f Mr.S.S.Chapalgaonkar, Advocate for the respondent.

(CORAM : RAVINDRA V. GHUGE, J.)

DATE : 20/03/2015

PER COURT :

1. Learned Advocate for the applicants submits that the objections raised in the second appeal were not removed out of inadvertence. The registration of the second appeal was therefore refused on 07/01/2015. Non-removal of office objections was not intentional or deliberate, but a mistake on the part of the office representing the applicants.

2. Learned Advocate for the respondent, though has opposed the civil application, submits that since the lapse is on account of the office representing the applicants, he has graciously stated that

the respondent does not pray for costs.

3. In the light of the above, the civil application is allowed. Delay of 23 days is condoned and the order of the Registrar dated 07/01/2015 stands set aside. The applicants shall remove office objections within a period of 3 (three) weeks from today, failing which this order shall stand recalled, the civil application shall stand rejected and the order dated 07/01/2015, refusing registration of the second appeal, shall stand restored.

(RAVINDRA V. GHUGE, J.)