

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.1620 OF 2015  
IN  
SECOND APPEAL (ST). NO.33541 OF 2014**

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| Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders | Court's or Judge's orders. |
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Mr.G.J.Sabnis i/b Mr.J.B.Apte for the applicant

**CORAM : K.K.TATED, J.**  
**DATED : 21/10/2015**

**PC:**

- 1 Heard the learned counsel for the applicant.
- 2 This application is for restoration of Second Appeal (ST) No.33541 of 2014 which was rejected in view of conditional order dated 6.5.2015 passed by learned Registrar (Judicial-II) for non-removal of office objections.
- 3 The learned counsel for the applicant submits that inadvertently because of mistake on the part of clerk, office objections were not removed within stipulated time. He submits that applicant has good chance of success in the present proceeding. He submits that in the interest of Justice, this Hon'ble Court be pleased to condone the delay in preferring the present Civil

Application and restore the same for hearing on its own merits.

4 Advocate for the applicant submits that applicant undertakes to remove office objections on or before 24.11.2015. Same is accepted.

5 Considering the submissions made by the learned counsel for the Applicant, the averments made in the Application and as the undertaking is given by the applicant for removing office objections on or before 20.11.2014, I am satisfied that the Applicant has made out a case for allowing the present Civil Application. Hence, following order:

- a) Delay in preferring Civil Application is condoned.
- b) Order dated 6.5.2015 passed by learned Registrar (Judicial-II) is set aside.
- c) Second Appeal (ST) No.33541 of 2014 is restored on file.
- d) Applicant to remove all office objections on or before 20.11.2015, failing which Civil Application shall stand dismissed without referring back to the court.
- e) Civil application stands disposed of accordingly.

**(K.K.TATED, J.)**