

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

**CIVIL APPLICATION NO. 897 OF 2015
IN
CIVIL APPLICATION (ST) NO. 28819 OF 2013
(R.C. NO. 171 OF 2015)
IN
FIRST APPEAL (ST) NO. 28817 OF 2013**

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. V.S. Tadke, i/b D.D. Shinde, for Applicant.

**CORAM : K.K.TATED, J.
DATED : 27/02/2015**

1. Not on board. At the request of Advocate for the applicant, matter is taken on board for urgent orders.

2. This application is preferred by the Claimant for restoration of Civil Application Stamp No. 28819 of 2013 in First Appeal Stamp No. 28817 of 2013 which was dismissed for non removal of office objection within stipulated time as per the order dated 18th December, 2014 passed by learned Registrar (Judicial-II). The learned counsel for Applicant submits that there was delay on the part of the Applicant to file First Appeal hence

Applicant preferred Civil Application Stamp No. 28819 of 2013 for condonation of delay. The learned counsel for Applicant submits that Applicant undertakes to remove all office objections within four weeks from today. Statement made is accepted.

3. Considering the submissions made by the learned counsel for the Applicant and averments made in Civil Application and undertaking given by the Applicant, I satisfy that Applicant has made out case for allowing Civil Application.

4. Civil Application allowed in term of prayer clause (a) and (b) which reads thus:

(a) This Application may be allowed and Civil Application Stamp No. 28819 of 2013 which was dismissed on 18th December, 2014 may be restored.

(b) Delay of 35 days in filing this application for restoration may be condoned.

5. Applicant to remove all office objections within four weeks from today failing which the Civil Application shall stand dismissed without referring back to the Court.

6. Civil Application is disposed of accordingly.

(K.K.TATED, J.)