

IN THE HIGH COURT OF JUDICATURE AT MUMBAI
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.505 OF 2015
IN
SECOND APPEAL (ST.) NO.12659 OF 2014

Sindhu Nandkishor Javsén ... Applicant
Vs.
Nandkishor Gajanan Javsén ... Respondent
Mr. Rahul More for Applicant.

CORAM : R. G. KETKAR, J.
DATE : 20TH MARCH, 2015

P.C. :

Not on Board. At the request of Mr. More, taken up in the production Board.

2. Heard Mr. More, learned Counsel for applicant.
3. This is an application for setting aside the order dated 13.10.2014 passed by the Registrar- Judicial II and restoring the Appeal after condoning the delay of 107 days in filing the application. He submitted that he had filed the Second Appeal on 29.04.2014. His Registration No. is I-2359. However, instead of showing his name, the office has shown name of Advocate Rohan Munj whose registration number is I-2357. He, therefore, could not keep the track of the matter and remove office objections. He further submitted that office has raised the following objections:
 - i) Original certified copy of grounds of appeal is not filed;
 - ii) Original certified copy of trial Court's judgment and decree is not filed; and
 - iii) Value of claim is not mentioned.

4. Mr. More assures that within 4 weeks from today, he will remove office objections. He further submits that notice was not issued to the respondent.

5. In view thereof and for the reasons stated in the application, Civil Application is allowed in terms of prayer clauses (a), (b) and (c) with no order as to costs. Second Appeal is restored to the file of this Court. Applicant shall remove office objection within 4 weeks from today.

(R. G. KETKAR, J.)

Minal Parab