

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CIVIL APPELLATE JURISDICTION.**

**CIVIL APPLICATION NO. 1094 OF 2015
IN
SECOND APPEAL NO. 344 OF 1998**

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. Prashant More for the applicant.

**CORAM : K. K. TATED, J.
DATED : 04/09/2015.**

PC.:

. Heard learned Counsel for the applicant.

2 This application is for setting aside the conditional order dated 10.02.2015 passed by the learned Registrar (Judicial – II) by which the Civil Application (St.) No. 22792 of 2014 for bringing legal heirs on record stands rejected for non removal of office objections.

3 The learned Counsel for the applicant submits that inadvertently, it remains on their part to take appropriate steps for removal all office objections. He submits that applicant undertakes to remove all office objections in Civil Application (ST.) no. 22792 of 2014 within four weeks from today. He further submits that in the interest of justice, this Hon'ble Court be pleased to set aside the order dated

10.02.2015 passed by the learned Registrar (Judicial-II).

4 Heard the learned Counsel for the applicant at length. It is to be noted that Civil Application (ST.) no. 22794 of 2014 appeared on the board of Registrar on 23.12.2014, 20.01.2015 and thereafter, on 10.02.2015. As the applicant failed to remove all office objections within stipulated time, the learned Registrar passed the conditional order.

5 Considering the submissions made by the learned Counsel for the applicant and averments made in Civil Application, I am satisfied that in the interest of justice, the order passed by the learned Registrar is required to be set aside. But, at the same time, applicants have to pay Cost of Rs. 2500/-.

6 Hence, the following order is passed:

ORDER

a) The conditional order dated 10.02.2015 passed by the learned Registrar (Judicial-II) in Civil Application (ST.) no. 22792 of 2014 is set aside.

b) Civil Application (ST.) no. 22792 of 2014 is restored on file.

c) The applicants to remove all office objections within four weeks from today, failing which civil application shall stand dismissed without referring back to the court .

d) Applicants to pay cost of Rs.2500/-.

Cost to be deposited in the office of **Maharashtra State Legal Services Authority**, within three weeks from today, failing which civil application shall stand dismissed without referring back to the court .

e) Civil Application stands disposed of accordingly.

(K.K.TATED, J.)