

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

CIVIL APPLICATION NO.2009 OF 2015
IN
REJECTED CASE NO.660 OF 2015

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. Rahul Walvekar i/b. S. R. Ganbavale for the Applicant.

Mr. Abhijeet B. Desai i/b. Ashish P. Pawar for the Respondent No.3.

CORAM : K. K. TATED, J.

DATE : JUNE 10, 2015

P.C.:

1. Mentioned. Not on board. At the request of learned counsel for the Applicant, the matter is taken on board for urgent orders.

2. Heard. This Application is preferred by the Plaintiff for restoration of the First Appeal (ST) No.12275/2015 and Civil Application No.1647/205 which was dismissed in view of conditional order dated 29/04/2015 passed by this court for non removal of office objections.

3. The learned counsel for the Applicant submits that inadvertently, it remained on their

part to remove office objections as per order dated 29/04/2015. He submits that the Applicant undertakes to remove office objections as per order dated 29/04/2015 within 3 weeks from today. Undertaking is accepted.

4. The learned counsel for the Respondent No.3 submits that they have no objection if Civil Application is allowed.

5. Considering the submissions made by the learned counsel for the Applicant, the averments made in the Application and no-objection given by the advocate for Respondent No.3, following order is passed:

a) Civil Application is allowed in terms of prayer clauses (a) to (c) which read thus:

“a) The verification of the Applicants of the present Civil Application may kindly dispensed with.

b) This Hon'ble Court may be pleased to restore the aforesaid First Appeal (ST) No.12275/2015 along with Civil Application No.1647/2015 in its original position in the interest of justice.

c) Pending the hearing and final disposal of the present Civil Application, the ad-interim relief granted vide paragraph No.5(c) by this Hon'ble Court on

29/04/2015 in First Appeal (ST)
No.12275/2015 be continued.”

b) The Appellant is directed to remove all office objections as per order dated 29/04/2015 (except filing of certified copies and decree) within 3 weeks from today, failing which the Civil Application shall stand dismissed without further reference to the court.

c) Civil application stands disposed off accordingly.

JUDGE