

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 165 OF 2015
IN
RC/701/2014
SECOND APPEAL (ST) NO.30229 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. Mandar Limaye, Advocate for Applicants.

CORAM: R.G.KETKAR, J.

DATE : 07/04/2015

PC:

1. Not on Board. At the request of Mr. Limaye, taken up in production Board.
2. Heard Mr. Mandar Limaye, learned counsel for the applicants.
3. Mr. Limaye submitted that Second Appeal was dismissed for noncompliance of the order dated 7.3.2014. By that order, the applicants were given four weeks time to remove office objections, failing which registration of Second Appeal was to stand refused for want of non prosecution. Mr. Limaye submitted that office has raised following objections.

(i) Original certified copy of District Court grounds of Appeal not filed;

(ii) Original certified copy of trial Court Judgment and decree not filed.

Mr. Limaye submitted that the applicants have removed office objections by filing certified copies on 4.2.2015. He further submitted that notices were not issued in main Appeal.

4. In view thereof and for the reasons stated in the Application, I am satisfied that the applicants have made out sufficient cause for condoning the delay. The Civil Application is allowed in terms of prayer clauses (a) and (b) with no order as to costs. Second Appeal is restored to the file of this Court.

(R.G.KETKAR, J.)