

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

**CIVIL APPLICATION NO.1186 OF 2015
IN
SECOND APPEAL (ST). NO.29486 OF 2014**

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.Wasim Siddiqui i/b Mr.Kunal Bhange for the applicant

CORAM : K.K.TATED, J.
DATED : 02/09/2015

PC:

- 1 Heard the learned counsel for the applicant.
- 2 This application is for restoration of Second Appeal (ST) No.29486 of 2014 which was dismissed as per conditional order dated 18.3.2015 passed by learned Registrar (Judicial-II) for non-removal of office objections.
- 3 The learned counsel for the applicant submits that inadvertently it remained on the part of applicant to remove office objections. He submits that applicants are ready and willing to remove office objections within two weeks from today. It is to be noted that Second Appeal appeared before the Registrar for removal of office objections on 28.1.2015, 18.2.2015 and thereafter on 18.3.2015.

Though learned Registrar granted time to the applicant to remove office objections, he failed and neglected to do so.

4 Considering the submissions made by the learned counsel for the Applicant and the reasons given by the applicant in paragraph 3 of the Civil Application, I am satisfied that the Applicant has made out a case for allowing the present Civil Application but at the same time, applicant has to pay cost of Rs.5000/-. Hence, following order is passed:

- a) Delay in preferring Civil Application is condoned.
- b) Order dated 18.3.2015 passed by learned Registrar (Judicial-II) is set aside.
- c) Second Appeal (ST) No.29486 of 2014 is restored on file.
- d) Applicant to remove all office objections in Second Appeal (ST) No.29486 of 2014 within four weeks from today, failing which Civil Application shall stand dismissed without referring back to the court.
- e) Applicant to pay cost of Rs.5000/-.
- f) Cost to be deposited in the office of the Maharashtra State Legal Services Authority, High Court, Bombay, within four weeks from today, failing which the matter shall stand dismissed

without further reference to the court.

g) Civil application stands disposed off accordingly.

(K.K.TATED, J.)