

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION*****CIVIL APPLICATION NO. 1661 OF 2014****IN****REJECTED CASE NO.1642 OF 2014****IN****SECOND APPEAL (ST)NO. 12610 OF 2014****Vijay Dattatray Yenpure****..... Applicant****VERSUS****Tukaram Yahwant Malusurve & Ors.****..... Respondents**

Mr.H.P.Vyas for the Applicant.

CORAM : R.D. DHANUKA, J.**DATED : 20th NOVEMBER, 2015****P.C.**

By this civil application, the applicant has prayed for setting aside the conditional order passed by the Registrar (Judicial – II) dated 16th September, 2014 and seeks restoration of the second appeal to the file and also seeks condonation of delay of 38 days in filing civil application.

2. Learned counsel appearing for the applicant states that the office objections will be removed within two weeks from today. Statement is accepted. It is made clear that if the office objections are not removed within two weeks from today, second appeal to stand dismissed without further reference to court. No further extension would be granted. For the reasons recorded in the civil application, civil application is made absolute in terms of prayer clause (a) and (a1). Delay of 38 days in filing civil application is condoned.

3. Second appeal is restored to file. Order passed by the Registrar (Judicial – II) dated 16th September, 2014 is set aside on the condition that the applicant removes all office objections within two weeks from today. No order as to costs.

[R.D. DHANUKA, J.]