

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

**CIVIL APPLICATION NO.215 OF 2015
IN
SECOND APPEAL NO.727 OF 2012**

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.Chintan Shah i/b Mr.Sandesh D. Patil for the applicant

CORAM : K.K.TATED, J.
DATED : 06/10/2015

PC:

- 1 Heard the learned counsel for the applicant.
- 2 This application is for restoration of Civil Application (ST) No.17620 of 2013 which was dismissed for non-removal of office objections by the learned Registrar (Judl.II) by order dated 17.1.2014.
- 3 Civil Application (ST) No.17620 of 2013 was for restoration of Second Appeal No.727 of 2012 which was dismissed for non-prosecution on 15.2.2013.
- 4 In both the Civil Applications, there was a delay in preferring the same.
- 5 Considering the submissions made by the learned counsel for the Applicant and as there is a

gross delay on the part of the applicant to prefer the present Civil Application, I am of the opinion that in the interest of Justice, delay can be condoned on payment of cost of Rs.5000. Hence, following order:

- a) Order dated 17.1.2014 passed by learned Registrar (Judicial-II) in Civil Application (ST) No.17620 of 2013 is set aside.
- b) Civil Application (ST) No.17620 of 2013 be restored on file for hearing on its own merits.
- c) Applicant to remove all office objections in Civil Application (ST) No.17620 of 2013 within four weeks from today.
- d) Applicant to pay cost of Rs.5000/-.
- e) Cost to be deposited in the office of the Maharashtra State Legal Services Authority, High Court, Bombay, within three weeks from today, failing which the matter shall stand dismissed without further reference to the court.
- f) Civil application stands disposed off accordingly.

(K.K.TATED, J.)

CERTIFICATE

Certified to be true and correct copy of the original
signed order.