

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.231 OF 2014
IN
WRIT PETITION NO.7912 OF 2012

Balkrishna Gopal Kini & Ors. ... Applicants
vs.

Mr.Sitaram Nana Kini & Ors. ... Respondents

Mr.Satyajeet Mirajkar for the Applicants.
None for the Respondents.

CORAM : R.G.KETKAR, J.

DATE : 18th NOVEMBER, 2015.

P.C.

Heard Mr.Mirajkar, learned Counsel for the Applicants.

2. This is an application for condonation of delay of 43 days in filing this application for restoration and for recalling the order dated 21st September, 2013 passed by Registrar (Judicial-I).

3. Mr.Mirajkar, learned Counsel for the Applicants submitted that on 21st September, 2013, conditional order was passed directing the Applicants to remove office objections within seven weeks, failing which Writ Petition was to stand dismissed.

4. He submitted that the only office objection is that the Petitioner has not mentioned serial number of Respondents properly in the 'Cause Title'.

5. By order dated 24th July, 2013, this Court issued notice for final disposal, returnable on 4th September, 2013. Office remark dated 29th August, 2013 shows that as the serial number of Respondents is not mentioned properly in the 'Cause Title', notice was not issued to the Respondents. Mr.Mirajkar assures that within three weeks from today, he will remove the office objection.

6. In view of the assurance and for the reasons stated in the application, Civil Application is allowed in terms of prayer clause (a), (b) and (c) with no order as to costs. Writ Petition No.7912 of 2012 is restored to its original position.

(R.G.KETKAR, J.)