

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

17 CIVIL APPLICATION NO. 10294 OF 2016
IN RC/1090/2015

SHANKAR NARAYAN JADHAV LRS KAMLABAI AND
OTHERS
VERSUS
MOHAN SUBHASH MALIA

Shri. F.R. Tandale, Advocate, for applicants.

Shri. Mahesh H. Patil, Advocate, for respondent.

CORAM: T.V. NALAWADE, J.

DATE : 29 JULY 2016

ORDER:

1) The application is filed for setting aside of the order of the Registrar (Judicial) of refusal of registration. Other side counsel has produced copy of order made by this Court in Civil Application No.3656/2015 and submitted that by order dated 20-3-2015 such opportunity was given but the said order is not complied with. He submitted that execution proceeding is pending in the suit of the year 1986. The plaintiff could not get specific performance of contract. He submits that today the execution proceeding is fixed for making further orders.

2) It is made clear that this Court has not granted stay to the execution and the execution can go on for fullest satisfaction of the decree.

3) Learned counsel for the applicant/appellant takes blame to himself. In view of these circumstances this Court holds that one more opportunity, which can be last opportunity, can be granted to the appellants for removal of office objections. The application is allowed. The order of the Registrar (Judicial) is set side. The matter is restored to its original number. If the objections are not removed prior to 12th August 2016 it is to be treated the matter is dismissed. Authenticated copy is allowed for the learned counsel for the respondent.

Sd/-
(T.V. NALAWADE, J.)

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