

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

**CIVIL APPLICATION NO.53 OF 2016
IN
CIVIL APPLICATION (ST.) NO.2475 OF 2012
IN
SECOND APPEAL NO.355 OF 2000**

Vithal Gangadhar Aptikar @ Kulkarni .. Applicant

Vs.

Bhau Kusa Algude & Ors. .. Respondents

Mr.Akshay Kulkarni i/by Mr.A.M. Kulkarni for the applicant.

Ms.Swatantri Waghmare i/by Ms.Gauri Godse for the respondent nos.2 to 5.

CORAM : R.D. DHANUKA, J.

DATE : 18th February 2016

P.C.

. By this civil application, the applicant seeks condonation of delay in filing the civil application and seeks recall of the conditional order passed by the Registrar Judicial on 26th March 2013 and also the consequential order dated 15th April 2013 and seeks restoration of the Civil Application (St.) No.2475 of 2012. No affidavit-in-reply is filed.

2. I have heard the learned counsel appearing for the parties. I am of the view that the applicant has satisfactorily explained the delay in filing the civil application and for not removing the office objections. Learned counsel for the applicant states that all other office objections would be removed within two weeks from today. Statement is accepted.

3. For the reasons recorded in the civil application, civil application is made absolute in terms of prayer clauses (b), (c) and (d) on the condition that the applicant removes all office objections within two weeks from today. It is made clear that no further extension would be granted. If the office objections are not removed within two weeks from today, the order passed by the Registrar Judicial shall stand restored and the order passed by this Court today shall stand vacated without further reference to the Court.

4. Civil application is disposed of in aforesaid terms. No order as to costs.

5. Place the Civil Application No.281 of 2016 along with Civil Application No.282 of 2016 on board on 11th March 2016.

R.D. DHANUKA, J.