

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CIVIL APPELLATE JURISDICTION.**

**CIVIL APPLICATION NO. 32 OF 2016
IN
CIVIL REVISION APPLICATION NO. 448 OF 2010**

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. Induprakash Tripathi i/b C.K. Tripathi for the Applicant.

**CORAM : K. K. TATED, J.
DATED : 22/07/2016**

PC.:

1. Heard learned Counsel for the parties.

2. This application is preferred by Defendant No.5 for restoration of Civil Revision Application No. 448 of 2010 which was stands dismissed in view of conditional order dated 18.11.2010 passed by learned Registrar (Judicial).

3. The learned counsel for the applicant submits that inadvertently it remained on their part to pay Bhatta Charges immediately. He submits that applicant undertakes to remove all office objections within two weeks from today. Statement is accepted.

4. When the order was passed by the Registrar on 18.11.2010, no one appeared on behalf of

respondent. Hence, it is not necessary to issue notice to them.

5 Considering the submissions made by the learned counsel for the applicant, averments made in Civil Application and as applicant undertakes to remove all office objections within two weeks from today, I am satisfied that applicant has made out case for allowing this Civil Application. But, as there was delay of more than 68 days, they have to pay cost of Rs.5,000/-

6 Hence, following order is passed:

a) Delay in preferring Civil Application is condoned.

b) Order dated 18.11.2010 passed by the learned Registrar (Judicial), is set aside.

c) Applicant to remove all office objections in Civil Revision Application No. 448 of 2010 within two weeks from today, failing which the Civil Application shall stand dismissed without further reference to the court.

d) Applicant to pay cost of Rs.5,000/- within two weeks from today. Cost to be paid to Kartikar Law Library, Bombay High Court and submit the receipt in the Registry of this Court.

e) Civil application stands disposed off accordingly.

(K.K.TATED, J.)