

vai

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1722 OF 2016
IN
REJECTED CASE NO.1776 OF 2014

Bhavani Education Society & Ors.	...Applicants
V/s.	
Vijaysingh K. Deshmukh & Ors.	...Respondents

Mr.G.N. Salunke i/b Mr.Hanmant Wakshe for the Applicants.

None for the Respondents.

CORAM : R.D. DHANUKA, J.
DATE : 26TH OCTOBER, 2016.

P.C. :-

1. The papers are allowed to be produced at 3:00 p.m.
2. By this civil application, the applicants seek condonation of delay in filing the civil application for setting aside the order dated 25th September, 2014, passed by the learned Registrar (Judicial-II) and seeks restoration of the second appeal and the civil application described in prayer clause (b) of the civil application.
3. I have heard the learned counsel for the applicants and perused the averments made in the civil application. The applicants have explained the delay in paragraph 5 of the civil application which are satisfactory in my view. Learned counsel for the applicants states

that all the office objections are already removed. The statement is accepted.

4. The order dated 25th September, 2014 passed by the learned Registrar (Judicial-II) is accordingly set aside. Second Appeal (Stamp) No.14160 of 2014 and all pending civil applications are restored to file. Civil Application No.1722 of 2016 is disposed of in aforesaid terms. No order as to costs.

5. At this stage, Mr.Salunke, learned counsel for the applicants seeks liberty to convert the second appeal into first appeal. Leave to amend is granted to convert the second appeal into first appeal. The office is directed to convert the second appeal into first appeal and renumber the first appeal expeditiously.

(R.D. DHANUKA, J.)