

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

CIVIL APPLICATION NO. 8587 OF 2017
IN RC/913/2016

ASHOK PUNJAJI SUSTE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. S. K. Adkine.
AGP for Respondent No.1 : Mr. S. S. Dande.
...

CORAM : K.K. SONAWANE, J.

DATED : 29TH NOVEMBER, 2017.

Order :-

Heard learned counsel for applicant and learned AGP for respondent No.1. When the matter is called out, none appears for respondent No. 2 - Acquiring Body.

2. Perused the application. The present application is filed for restoration of proceedings of First Appeal (St) accompanied with application for condonation of delay. The registration of appeal came to be refused for not removing the office objections notified by the Registrar. The learned counsel for applicant contends that he will remove the office objections within four weeks and an opportunity may be granted to the applicant to pursue the appeal and civil application for condonation of delay.

3. In view of nature of subject matter and reasons mentioned in the application, there is no impediment to extend one more opportunity to the applicant for substantial justice into the matter. Accordingly, application is allowed in terms prayer clause 'B'. The delay caused for filing present application is condoned. The impugned order of refusal of registration regarding First Appeal (Stamp) No. 15839 of 2016 passed by Registrar dated 23-08-2016 is hereby recalled. The proceedings of the appeal be restored at it's original

stage subject to condition that applicant to remove all office objections within period of four weeks, failure to which, present order shall stand cancelled automatically without further reference to this Court.

4. The application stands disposed of in above terms of accordingly.

[K. K. SONAWANE]
JUDGE

rrd.