

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

CIVIL APPLICATION NO.10519 OF 2012 IN
FIRST APPEAL NO.11351 OF 2012

Shri Madanlal Shantilal Jain
and others ... APPLICANTS

VERSUS

The State of Maharashtra & ors. ... RESPONDENTS

.....
Shri M.M. Jadhav, Advocate holding for
Shri S.P. Shah, Advocate for applicants
Shri S.N. Morampalle, A.G.P. for State
.....

CORAM: R.D. DHANUKA AND
SUNIL K. KOTWAL, JJ.

DATED: 22nd September, 2017.

ORAL ORDER:

1. The applicants have prayed for restoration of the First Appeal which is dismissed by order passed by learned Registrar on 21/8/2012 for non-compliance of office objections. Learned counsel for the applicants submits that the objections could not be removed due to the circumstances set out in para No.3 of the Civil Application. He undertakes to remove the office objections within two weeks from today. Prayer made by the applicants is accepted. It is made clear that no further time will be granted. If the objections are not removed within two weeks from today,

the Civil Application shall stand dismissed.

2. After hearing the learned counsel for the parties, we are satisfied that the applicants have made out a case for restoration of the First Appeal for the reasons recorded in the Civil Application. Civil Application is accordingly made absolute in terms of prayer clauses (B) and (C) on the condition that the applicants shall remove office objections within two weeks from today, failing which the First Appeal shall remain dismissed without further reference to this Court. No order as to costs.

(SUNIL K. KOTWAL)
JUDGE

(R.D. DHANUKA)
JUDGE

fmp