

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CIVIL APPELLATE JURISDICTION**  
**CIVIL APPLICATION NO. 1289 OF 2016**  
**IN**  
**REJECTED CASE NO. 1075 OF 2015**

Shivaji Bajirao Bhosale ... Applicant

Versus

Gulabrao Baburao Jagtap (deceased) and Ors. ... Respondents

Mr. Prakash Gharge i/b. Mr. Pradeep Gole for the Applicant.

**CORAM : S.J. KATHAWALLA, J.**  
**DATED : 21ST JULY, 2017**

**P.C.:**

1. On 3<sup>rd</sup> July, 2015 the Registrar (Judl.) passed a conditional order granting four weeks time to the Applicant / Appellant to remove the office objections failing which the Second Appeal (ST) No. 3674 of 2015 would not be registered. The said order was not complied with and the above Civil Application is taken out on 15<sup>th</sup> January, 2016.
2. Perused the above Civil Application. For the reasons set out in the above Civil Application, the same is allowed in terms of prayer clauses (a) to (c), which are reproduced hereunder :

*“(a) that delay of 164 days, if any, be condoned.*

*(b) that the conditional order dated 3<sup>rd</sup> July, 2015 passed by the Judicial Registrar in the present Second Appeal be set aside and allow the Appellant*

*to remove office objections within particular time as deem fit and proper by this Hon'ble Court.*

*(c) That the present Second Appeal along with Civil Application (ST) Nos. 3675 of 2015 and 3677 of 2015 be restored to file and it be heard on merits.”*

3. The Applicant and / or his Advocate shall remove office objections within a period of two weeks from today.
4. A copy of this order along with copies of the above Second Appeal as well as Civil Application (ST) Nos. 3675 of 2015 and 3677 of 2015 shall be served by the Advocate for the Applicant on the Respondents by Speed Post / Registered Post A.D. and / or by hand delivery and an Affidavit proving service shall be filed on the adjourned date.
5. Place the above Second Appeal for Admission along with Civil Application (ST) Nos. 3675 of 2015 and 3677 of 2015 on 4<sup>th</sup> September, 2017.
6. The above Civil Application is accordingly disposed off.

**( S.J.KATHAWALLA, J. )**