

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO. 1889 OF 2016
IN
REJECTED CASE NO.1026 OF 2015**

Shri. Babasaheb Bapu Walvekar ... Applicant

Versus

Shari Shamshuddin Imamuddin Inamdar & Ors. ... Respondents

.....
Mr. P. D. Pise for the Applicant/Appellant.

.....

CORAM : S.C.GUPTE, J.

DATE : 17 FEBRUARY 2017

P.C. :

1. This Civil Application seeks recall of a dismissal order passed by the Registrar, Judicial II for non-removal of office objections. Learned Counsel for the Applicant submits that the dispute between the parties has been settled out of Court. He, accordingly, does not press the Second Appeal.

2. The Civil Application, which seeks restoration of the Second Appeal, is, accordingly, allowed and the Second Appeal is restored on board.

3. There is also a companion Civil Application, being Civil Application

(St) No.32804/2014 for condonation of a delay of 18 days in filing the present Second Appeal. The delay is condoned and the Plaintiff is permitted to file the present Second Appeal. Office shall now number the Second Appeal.

4. Learned Counsel for the Appellant seeks leave to withdraw the Second Appeal. The Second Appeal is dismissed as withdrawn. No order as to costs.

(S.C.GUPTE, J.)