

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

**CIVIL APPLICATION NO. 1583 OF 2017
IN
WRIT PETITION NO. 4482 OF 2017**

The Commercial Co-operative Bank Ltd. ...Petitioner/Applicant

vs.

Mr.Kishore Vasantryao Kulkarni ...Respondent

Mr.M.S. Topkar I/b. Vaishali Bhilare for Applicant.

CORAM : PRASANNA B. VARALE, J.

DATE : 9 AUGUST 2017

P.C. :

Heard learned Counsel for the Applicant.

2 Learned Counsel by inviting my attention to the grounds raised in the application submitted that as learned Counsel received communication with a writ petition number, Counsel was under a bonafide impression that his petition is registered and there are no objections remaining in the matter. Learned Counsel submits that subsequently by communication dated 19 May 2017, the Counsel was informed that the petition has been disposed of. Learned Counsel placed on record the copies of the communications (emails). The same are taken on record, marked "X" for identification. Learned Counsel submits that non-removal of office objections was because of communication gap and if time is granted to the Applicant / Petitioner, the office objections would be removed within the stipulated period. Learned Counsel submits that the delay caused in filing the application is also due to the bonafide reasons.

3 In view of the submission of learned Counsel for the Applicant and for the reasons stated in the application, the application is allowed. Learned Counsel to remove the office objections within two weeks from today. On removal of the office objections, petition be restored to file.

(PRASANNA B. VARALE, J.)