

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1797 OF 2016

IN

SECOND APPEAL (STAMP) NO.9664 OF 2015

Shri. Ramnath Dagu Ghule

...Applicant

vs.

Shri. Vishnu Namdev Ghule,

Since deceased through Lrs. & Ors.

...Respondents

....

Mr. Sachin Padaye, i/b. G.R. Agrawal, for the Applicant.

.....

CORAM : S.C. GUPTE, J.

DATED : 22 FEBRUARY 2017

P.C. :

. Heard learned Counsel for the Applicant.

2. The Applicant seeks restoration of a Second Appeal, which is dismissed for non-compliance with office objections. There is a delay in taking out the present Civil Application. The delay is explained in the Civil Application.

3. For the reasons stated in the Civil Application, the delay is condoned and the Civil Application is allowed in terms of prayer clause (c). The Applicant shall remove the office objections within a period of two weeks from today, failing which, the appeal shall be rejected under Rule 5 of Chapter V of the Bombay High Court Appellate Side Rules, without reference to this Court. In case the office objections are

removed, the office shall number the Second Appeal and the same shall appear on board on 27 March 2017. The Applicant/Appellant shall, in that case, serve a private notice of the appeal on the Respondents and file an affidavit of service by the next date.

4. The Civil Application is disposed of accordingly.

(S.C. GUPTE, J.)