

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1648/2017
IN
REJECTED CASE NO.1619/2017

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Sachin D. Bagal for the applicant

CORAM : K. K. TATED, J.
DATE : DECEMBER 12, 2017

P.C.:

1. Heard. The learned counsel for the applicant submits that they filed the Civil Application for restoration of the Second Appeal which stood dismissed in view of order dated 08.06.2017 passed by this court. He submits that it remained on the part of the Applicant to remove all office objections within stipulated time as granted by the learned Assistant Registrar (Second Appeal Branch). He submits that now they removed all office objections in the Second Appeal. He submits that in the interest of justice this Hon'ble Court be pleased to restore the Second Appeal on file for hearing on merits. He submits that because of mistake on the part of the advocate, a litigant

should not suffer.

2. Considering the submissions made by the learned counsel for the Applicant and as the Applicant has already removed all office objections and the reasons disclosed by the Applicant in the Civil Application, I am satisfied that the Applicant has made out a case for allowing the Civil Application.

3. Hence, following order is passed.

a. Order dated 08.06.2017 passed by this court by which the Second Appeal stood dismissed for non removal of office objections is recalled.

b. The Second Appeal (ST) No.33847/2016 is restored to file.

c. The Applicant to remove office objections on or before 21.12.2017 failing which the Second Appeal shall stand dismissed without further reference to the court.

d. Civil Application stands disposed of accordingly.

JUDGE