

## IN THE HIGH COURT OF JUDICATURE AT BOMBAY

## CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.3029 OF 2016

IN

WRIT PETITION NO.8344 OF 2016

(Kishan Maruti Bhadale (decd) through his legal heirs Dilip Kisanrao Bhadale and others Vs. Hausabai Sopan Bhadale (decd) through legal heirs Dattatray Sopan Bhadale and others)

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| Office Notes, Office<br><b>Memoranda of Coram,<br/>appearances, Court's<br/>orders, or directions,<br/>and Registrar's Orders</b> | <b>Court's or Judge's orders</b> |
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Mr. A. R. Shaikh for Applicants.

Ms Smruti Tulpule for Respondents No.1, 3-a, 3-b and 5 to 7.

Mr. Sandeep Pathak for Respondents No.4 and 11.

**CORAM : R. G. KETKAR, J.**

**DATE : 20<sup>TH</sup> JANUARY, 2017**

**P.C.:**

Heard Mr. Shaikh, learned Counsel for applicants, Mr. Tulpule, learned Counsel for respondents No.1, 3-a, 3-b and 5 to 7 and Mr. Pathak, learned Counsel for respondents No.4 and 11.

2. This is an application for recalling the order dated 18.07.2016 insofar as directing the applicants to remove office objections within three weeks, failing which Petition was to stand dismissed without further reference to the Court.

3. Mr. Shaikh submitted that office objections were removed and Petition was given regular number. In any

case, he submitted that office objections were earlier to the effect that pages 22 and 29 are not legible. He submitted that pages 22 and 29 are legible.

4. Learned Counsel for respective respondents however opposed the application on the ground that office objections were there, and therefore, no case is made out for restoration of the Petition.

5. I find substance in the submission of Mr. Shaikh that office objections were removed and in any case, perusal of pages 22 and 29 does not indicate that they are not legible. Hence, Civil Application is allowed in terms of prayer clause (a). Order dated 18.07.2016 is recalled and Writ Petition No.8344 of 2016 is restored to its original position. Order accordingly.

**(R. G. KETKAR, J.)**

*Minal Parab*