

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

**CIVIL APPLICATION NO. 3884 OF 2017
IN
REJECTED CASE NO. 204 OF 2017**

Maharashtra State Road Transport
Corporation Limited, Mumbai

...Applicant

Versus

Shri.Sanjay Rajaram Bukam

...Respondent

.....

Mr.Akshay R.Kapadia h/f. Mr. Y.P.Deshmukh for the Applicant.

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CORAM: MRS.MRIDULA BHATKAR, J.

DATE : DECEMBER 06, 2017

P.C.:

1. Upon urgent mentioning, taken on Production Board.
2. This Application is moved for restoration of First Appeal along with Civil Application which were dismissed by conditional order dated 16th November, 2016 passed by Registrar (Judicial-II).
3. Learned counsel for the applicant submits that this order was passed before issuance of the notice to the respondent. Hence, notice to the respondent is not required. He further submits that

there is a delay of 347 days in filing the Civil Application for restoration and the same be condoned.

4. Perused the conditional order dated 16th November, 2016. The registration of the First Appeal was refused for non removal of the office objections. Notice was not issued to the respondent. The conditional order dated 16th November, 2016 dismissing the Appeal is hereby set aside. First Appeal along with Civil Application are restored to their original file. The applicant is directed to remove office objections within a period of two weeks from today. If the objections are not removed within the stipulated time, the Appeal will be dismissed without referring to the Court.

5. Civil Application is allowed and is accordingly disposed of.

(MRIDULA BHATKAR, J.)