

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1448 OF 2017
IN
SECOND APPEAL (STAMP) NO. 34456 OF 2016

Vanita Baliram Patil ..Applicant/Appellant
vs.
Smt. Nagarbai Vasudeo Patil & Ors. ..Respondents

Mr. Ashok B. Tajane for Applicant / Appellant.

CORAM : M. S. SONAK, J.
DATE: 20 FEBRUARY 2018

P.C :

1] Mr. Tajane, learned counsel for the applicant / appellant submits that the office objections were not cleared on account of oversight on the part of the Advocate's clerk. He submits that presently, steps have been taken to ensure that the office objections will be cleared within a period of one week from today, in case, such an opportunity is granted to the applicant. Mr. Tajane submits that the applicant will pay costs of Rs.5,000/- (Rupees Five Thousand) and on this basis, seeks for some indulgence as well as an additional opportunity to clear office objections.

2] This Court, by a detailed order dated 8th June 2017 has adverted to the circumstances in which this Court was constrained to dismiss this second appeal for non clearance of office objections. However, taking into consideration the reason now set out by Mr. Tajane, coupled with assurances that the objections will positively be cleared within a period of one week from today, the order dismissing second appeal is hereby recalled and the second appeal

is restored. However, said restoration is conditional upon the applicant, depositing in this Court costs of Rs.5,000/- (Rupees Five Thousand) within one week from today. If the amount of costs are not deposited within one week from today, this civil application is deemed to have been dismissed without further reference to this Court. If the amount of costs are deposited then, the issue of the disbursement will be decided at the stage of consideration of the second appeal for admission.

3] The objection regards filing of certified copy of the appeal memo is dispensed with. However, the applicant to place on record a true copy of such appeal memo.

4] Further, the applicant, is granted 10 days time commencing from today, for clearance of office objections. If within a period of 10 days from today, the office objections are not cleared, then, the second appeal and the civil applications therein shall stand dismissed without any further reference to this Court.

5] Civil application no. 1448 of 2017 is disposed of in the aforesaid terms.

6] All concerned to act on basis of authenticated copy of this order.

(M. S. SONAK, J.)