

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1012 OF 2016
IN
REJECTED CASE NO.1302 OF 2015
(SECOND APPEAL NO.4680 OF 2015)

Shri Dashrath Baburao Mhalsaskar & Ors. ... Applicants

Vs.

Shri Shankar Govind Mhalaskar & Ors. ... Respondents

Mr.Y.G. Thorat with Ms.K.P. Shinde i/b A.B. Tajane for the Applicants

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **MARCH 9, 2018**

P.C.:

1. This application is filed for restoration of the appeal which was dismissed pursuant to the conditional order dated 6.8.2015 passed by the Registrar (Judicial II) directing to remove the office objections within the stipulated period.

2. The learned Counsel for the applicants submits that notices were not sent to the respondents. He undertakes to remove the office objections within two weeks from today. He also submits that there is a delay in filing this application and prays for condoning the same.

3. In view of the submissions and for the reasons mentioned in the application, the delay is condoned. The conditional order dated 6.8.2015 passed by the Registrar (Judicial II) is hereby set aside and the appeal is restored to its file alongwith Civil Application. The applicants shall remove the office objections within two weeks from today and if not removed, the appeal to stand dismissed without further reference to the Court.

4. Civil Application stands disposed of accordingly.

(MRIDULA BHATKAR, J.)