

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

**CIVIL APPLICATION NO.986 OF 2018
IN
REJECTED CASE NO.104 OF 2018**

National Insurance Co. Ltd.	...Applicant
Versus	
Dayanand Bhimrav Kodale & Anr.	...Respondents
.....	
Smt. Urmila K. Sanil for the Applicant.	

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED: 15th MARCH, 2018.

P.C.:-

By this application, the Applicant has sought restoration of First Appeal (stamp) No. 10055 of 2017 alongwith the civil applications (st).1057 of 2017. On 17.11.2017, the Registrar (Judicial-II) has passed the following order:-

“ 4 weeks time is granted for removing office objections, failing which registration of First Appeal Stamp shall stand refused without further reference to the Court.”

Failure on the part of the Applicant to remove office objections resulted in dismissal of appeal and civil application. The learned counsel for the Applicant has submitted that main objection was that the Applicant had not filed original certified copy alongwith all the certified copy

details. She has submitted that the Applicant had already filed original copy of the judgment. She has submitted that the slip containing the details has been misplaced. Nevertheless, same is annexed to the final award. In the light of above, there could not have any office objections. She has submitted that certificate filed alongwith the order be treated as certificate with the certified copy of the judgment. Since the certificate is already annexed to the final award, in my considered view the application needs to be allowed.

2. The First Appeal stamp No.10055 of 2017 alongwith the civil application stamp No.1057 of 2017 stand restored. The certificate annexed to the award be considered for the purpose of registering the appeal.

3. Place the First Appeal stamp No.10055 of 2017 on **5.4.2018.**

4. The civil application stands disposed of.

(ANUJA PRABHUDESSAI, J.)