

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.505/2018
IN
WRIT PETITION (ST) NO.31273/2016

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Ranjit D. Shinde i/b. Tanaji Mhatugade for the Applicant
Mrs. Madhubala Kajale "B" Panel Counsel for Respondent Nos.1 to 3.

**CORAM : K. K. TATED &
B. P. COLABAWALLA, JJ.**

DATE : MARCH 6, 2018

P.C.:

1. Heard. The Civil Application is filed by the Petitioner for restoration of the Writ Petition which stood dismissed for non removal of office objections as per order dated 12.12.2017 passed by the learned Registrar (Judicial-I).

2. The learned counsel for the Applicant submits that through oversight, it remained on their part to remove all office objections within stipulated time as stated hereinabove. He undertakes to remove all office objections within

two weeks from today. He submits that in the interest of justice this Hon'ble Court be pleased to set aside the order dated 12.12.2017 and restore the Writ Petition for hearing on merits. He submits that if the order is not set aside and/or recalled, irreparable loss will be caused to the Applicant.

3. On the other hand, the learned counsel for the Respondent vehemently opposed the Civil Application. She submits that though the matter appeared on board on several occasion before the Registrar, none appeared for the Respondent Applicant. Hence, there is no substance in the Civil Application.

4. Considering the submissions made by the learned counsel for the Applicant and the reasons disclosed in the Application and since the Applicant is ready and willing to remove all office objections within two weeks from today, we are satisfied that the Applicant has made out a case for allowing the present Civil Application. At the same time, the Applicant has to pay cost of Rs.1000/-.

5. Hence, the following order:

- a) Order dated 12.12.2017 passed by the learned Registrar (Judicial-I) is set aside.
- b) The Writ Petition (ST) No. 31273/2016 is restored to file for hearing on merits.
- c) The Applicant is directed to remove all office objections within two weeks, failing which the writ petition shall stand dismissed without further reference to the court.
- d) The Applicant shall pay cost of Rs.1000/-.
- d) Cost shall be paid to Kirtikar Law Library, High Court, Mumbai, within two weeks from today, failing which the Civil Application shall stand dismissed without further reference to the court.
- e) Civil application stands disposed off accordingly.

(B. P. COLABAWALLA,J.)

(K.K.TATED,J.)