

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1013 OF 2016
IN
REJECTED CASE NO.36 OF 2016
(SECOND APPEAL ST. NO.12162 OF 2015)

Shri Vitthal Baburao Pathare & Ors. ... Applicants

Vs.

Shri Gulab Baburao Pathare & Ors. ... Respondents

Mr.Sagar Ambedkar for the Applicants

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

DATE: **MARCH 9, 2018**

P.C.:

1. This application is filed for setting aside the conditional order of dismissal of the appeal dated 2.9.2015 passed by the Registrar (Judicial II). The appeal was dismissed for non-removal of office objections.

2. Learned Counsel for the applicants submits that his appeal was dismissed before notice. He submits that the objections were not removed inadvertently. He undertakes to remove the objections now.

3. As the respondents were not served, the conditional order dated 2.9.2015 passed by the Registrar (Judicial II) is set aside and

the appeal is restored to its file. The office objections to be removed within three weeks and if the same are not removed within three weeks, the appeal to stand dismissed without reference to the Court.

4. Civil Application is disposed of accordingly.

(MRIDULA BHATKAR, J.)