

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

**CIVIL APPLICATION NO. 2663 OF 2018
IN
FIRST APPEAL STAMP NO. 25861 OF 2017
(R.C. NO. 1171 OF 2018)**

Roxan Cyrus Bharucha and others	... Applicants
<i>In the matter between</i>	
Roxan Cyrus Bharucha and others	... Appellants
Versus	
The New India Assurance Co. Ltd. and another	... Respondents

.....
Mr. Vasant R. Kadam i/b Mr. Yuvraj P. Narvankar for Applicants.
.....

CORAM : K. K. SONAWANE, J.

DATE : 8th AUGUST, 2018.

P. C.:

1. Heard learned Counsel for the applicants. Perused the application.

2. Learned Counsel for the applicants submit that the registration of the proceeding of First Appeal Stamp No. 25861 of 2017 came to be refused, as the applicants failed to remove the office objections within stipulated period. He further submits that due to unavoidable circumstances the office objections could not

be removed, therefore it resulted into dismissal of the proceeding. He undertakes to remove office objections within two weeks after restoration of the First Appeal stamp No.25861 of 2017.

3. In view of above submission, civil application stands allowed. The proceeding of First Appeal stamp No.25861 of 2017, be restored at its original stage. The order of refusal of registration of the first appeal, passed by the learned Registrar – Judicial-II, is hereby recalled. The delay caused for filing present application is hereby condoned. After restoration of the proceedings of First Appeal at its original stage, the applicants to remove entire office objections within a period of two weeks from its restoration. On failure to which, the present order shall stand vacated automatically without further reference to this Court. The Registry to take requisite steps for further process.

4. Accordingly, the present civil application stands disposed of in above terms.

(K. K. SONAWANE, J.)

Shridhar
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