

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 3727 OF 2015
IN
REJECTED CASE NO. 541 OF 2015

Sau. Pushpa Savaliram Kadam ...Applicant

Versus

Fulyabai Deoram Toche & Ors. ...Respondents

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Mr. M.A.Parab i/b. Mr.Pravartak Pathak for the Applicant.
Ms.Divya Parab i/b. Mr.R.N.Gite for Respondent Nos. 2,3 and 6 to 9.

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CORAM: MRS.MRIDULA BHATKAR, J.
DATE : JANUARY 09, 2018

P.C.:

1. This Civil Application is moved for recalling the order dated 26th February, 2015 passed by the Registrar (Judicial) in First Appeal (St.) No. 30782 of 2014 thereby refusing the registration of the First Appeal for want of removal of office objections.

2. The learned Counsel for the applicant submits that there is delay of 149 days in filing Civil Application because the applicant was not aware about the conditional order.

3. The learned Counsel for the respondents opposes this application. She submits that delay is not properly explained.

4. In view of the above submissions and the reasons mentioned in the Civil Application, delay is condoned, as the applicant is ready to pay the deficit court fees and to remove office objections within a period of two weeks from today. The order dated 26th February, 2015 passed by the Registrar (Judicial) is hereby recalled. First Appeal is restored to its original file. If the objections are not removed within the stipulated time, the Appeal will be dismissed without referring to the Court.

5. Civil Application is allowed and is accordingly disposed of.

(MRIDULA BHATKAR, J.)