

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

**CIVIL APPLICATION NO. 399 OF 2018
IN
REJECTED CASE NO. 2570 OF 2016**

Babinanda Ramchandra Waidhande & Ors. ...Applicants

Versus

The Commissioner,
Pune Municipal Corporation, Pune & Ors. ...Respondents

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Mr. Sagar S. Ambedkar for the Applicants.

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**CORAM: MRS.MRIDULA BHATKAR, J.
DATED: APRIL 06 2018**

P.C. :

1. Upon urgent mentioning, taken on Production Board.
2. This Civil Application is moved for restoration of Second Appeal (St.) No. 18165 of 2015. By conditional order dated 22nd March 2016, the Registrar (Judicial-II) refused to register the Second Appeal.
3. The learned Counsel for the applicants submits that the registration of the Second Appeal was refused by Registrar

(Judicial-II) for non-removal of office objections before sending notice. He further submits that there is a delay of 1 year and 143 days in filing the Civil Application. He prays that the delay be condoned and the Appeal be restored. He further submits that he will remove the office objections.

4. In view of the above submissions, the conditional order dated 22nd March, 2016 of refusing the registration of the Appeal is hereby set aside. Delay is condoned. Second Appeal is restored to its original file. The applicants shall remove the office objections within a period of four weeks from today. 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.

6. Leave to amend the prayer clause. Amendment is to be carried out forthwith.

(MRIDULA BHATKAR, J.)