

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.2 OF 2018
IN
REJECTED CASE NO. 934 OF 2017

Mrs. Ruth Ajay Raghavan @
Chandani Ramesh Waghmre

....Applicants

Versus

Ajay P. K. Raghavan

....Respondent

.....

Mr. Makarand M. Kale for the Applicants.

.....

CORAM: **MRS.MRIDULA BHATKAR, J.**
DATE : **MARCH 16, 2018**

P.C.:

1. Upon urgent mentioning, taken on production board.
2. Learned counsel for the applicants submits that he has filed the Miscellaneous Civil Application under Section 24 of the Civil Procedure Code. However, the said application was dismissed for want of prosecution. He submits that the application was dismissed for non-removal of the office objections. He therefore prays that the order dated 13.10.2016 granting four weeks time to remove the office objection is to be set aside. He also submits that there is a delay of 369 days in taking out this application for restoration which may

kindly be condoned. Learned counsel submits that the applicant is a wife who is uneducated and therefore could not follow the proper procedure and could not communicate to her counsel. He submits that now the applicant is ready to remove the office objections. He submits that she has applied for transfer of the proceedings from Family Court at Bandra to Family Court at Sangli. In the Family Court at Bandra “no W.S”. order is passed against the present applicant and therefore, this matter is to be restored. He further submits that the dismissal is prior to issuance of notice.

4. In view of the submissions of the learned counsel for the applicants, the order dated 13.10.2016 passed by the Registrar (Judl-II) is hereby set aside. The application is restored to its original file. It is now fixed on 20.04.2018.

5. Issue notice to the respondent, returnable on 20.04.2018. The applicant is directed to remove all the office objections on or before 28.03.2018.

(MRIDULA BHATKAR, J.)