

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**10 CIVIL APPLICATION NO.7147 OF 2019
IN RC/187/2019**

**DILIP JANARDHAN KOLTE
VERSUS
THE CHIEF GENERAL MANAGER AND ANOTHER**

...
Advocate for Applicant : Shri R.H.Mewara h/f. Shri N.E.Deshmukh

...
**CORAM : P.R.BORA, J.
DATE: 24th June, 2019**

PER COURT:-

1 Heard learned Counsel appearing for the applicant. Delay caused in filing the application is condoned.

2 This is an application seeking restoration of the Writ Petition (Stamp) No.26934 of 2018, which has been refused to be registered and impliedly stands rejected for the reason that the office objections were not removed by the applicant - petitioner within the given time.

3 The learned Counsel for the applicant - petitioner undertakes to remove the office objections within two weeks and in the circumstances, has prayed for restoration of the Writ Petition.

4 I have perused the order passed by learned Registrar (Judicial) on 11.02.2019. It is a speaking order. The order reveals that atleast on four occasions the matter was listed before the learned Registrar (Judicial) and every time, the time was sought and accordingly on all those occasions showing

leniency, the time was granted. However, inspite of availing such time, the office objections were not removed and in such circumstances the learned Registrar was constrained to pass the order on 11.02.2019, thereby refusing the registration of the said Writ Petition.

5 Now, though it has been undertaken by learned Counsel appearing for the applicant - petitioner that the office objections shall be removed within two weeks, it appears to me that for non-removal of the office objections despite giving due opportunity, adequate cost needs to be imposed on the applicant. In the result, the following order is passed:-

ORDER

I) The order passed by learned Registrar (Judicial) on 11.02.2019, stands set aside subject to costs of Rs.1,000/- to be deposited by the petitioner in this Court within a week and it shall be condition precedent. If the costs amount is deposited, the petitioner be permitted to remove the office objections within one week thereafter.

II) With the condition as above, the Writ Petition (Stamp) No.26934 of 2018, stands restored.

III) List the Petition for further consideration on 10.07.2019.

IV) Civil Application stands disposed of.

(P.R.BORA)
JUDGE