

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

**1041 CIVIL APPLICATION NO.11637 OF 2019
IN RC/691/2019**

LINGAYYA SHIVAYYA SWAMI (DIED) THR LRS RATNABAI (DIED) THR
LRS GUNDAPPA
VERSUS
THE STATE OF MAHARASHTRA AND ANR

...
Advocate for Applicant : Mr. Ingale Vivekanand V.
AGP for Respondents/State : Mr. R.B. Bagul
...

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 27th SEPTEMBER, 2019.

ORDER :

. Present application has been filed for getting the delay of 65 days condoned in filing Civil Application for setting aside the order passed by the learned Registrar (Judicial) dated 11.06.2019. It appears that prior to 11.06.2019, the matter had come up before the learned Registrar for four occasions, but then the appellant and advocate was absent consistently. Office objections were not removed and therefore, conditional order was passed. The appellants were directed to remove the office objections within one weeks and in case of their failure it is treated that the registration of the appeal would stand refused. After expiry of that one

week that order has come into play and therefore, the net result was that the registration of the appeal has refused.

2. It has been now tried to be contended that office objection was production of death certificate for which the Gramsevak was not available as he was on election duty.

3. Taking into consideration the fact that now the death certificate is with the applicants and they want to remove the office objections, delay stands condoned.

4. Application stands allowed in terms of prayer clause 'A' and 'B'.

5. It is made clear that in case the office objections are not removed further within a period of two weeks, it shall be treated that the registration of the first appeal is once again refused.

(SMT. VIBHA KANKANWADI, J.)

SCM