

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

**CIVIL APPLICATION NO.1907 OF 2018
IN
WRIT PETITION STAMP NO.27347 OF 2016
(REJECTED CASE NO.2231 OF 2017)**

Pandit Anandrao Chavan and anr. : Applicants.

In the matter between

Pandit Anandrao Chavan and anr. : Petitioners.

Versus

Balkrishna Kondiba Jagtap : Respondent.

Mr. Sandip Patad I/by Mr. Kayval P Shah for the Applicants.

**CORAM: K.K. TATED, J
DATED : FEBRUARY 01, 2019**

P.C. :

1 Heard the learned counsel Mr. Sandip Patad I/by advocate on record Mr. Kayval P Shah appearing for the Applicants.

2 The learned counsel for the Applicants submits that as per earlier order dated 21/01/2019 he made an inquiry and learnt that the Regular Civil Suit 93 of 2005 is pending before the Trial Court.

3 The learned counsel for the Applicants submits that by the present Civil Application they are seeking restoration of Writ Petition Stamp No.27347

of 2016 which stands dismissed in view of the conditional order dated 09/06/2017 passed by the learned Registrar (Judicial-I) for non-removal of office objections. He submits that inadvertently it remains on their part to remove the office objections. He undertakes to remove the office objections within four weeks from today. He submits that in the interest of justice, this Hon'ble Court be condoned the delay in filing the present Civil Application and restored the Writ Petition on file.

4 Considering the submissions made by the learned counsel for the Applicants and reasons mentioned in the Civil Application, I satisfy that the Applicant has made out a case. Hence the following order :-

- a. Delay in filing the Civil Application is condoned.
- b. The conditional order dated 09/06/2017 passed by the learned Registrar (Judicial-I) is set aside.
- c. The Applicants are permitted to remove the office objections in Writ Petition Stamp No.27347 of 2016 on or before 28/02/2019, failing which the Civil Application shall stand dismissed without further reference to the Court.

- d. The Civil Application stands disposed of accordingly.
- e. No order as to costs.

(K.K. TATED, J.)