

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Civil Application (ST) No. 3647/2019
in
First Appeal (ST) No. 35443/2017

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
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Mr. D. S. Joshi for the Applicant

CORAM : K.K.TATED, J.
DATED : MAY 3, 2019

P.C.

Pursuant to the praecipe filed by the advocate for the Applicant the matter is taken on production board.

2 By this Civil Application, the Applicant is seeking to set aside the order dated 17.04.2018 passed by the learned Registrar (Judicial-II) by which the First Appeal stood dismissed for non removal of office objections.

3 The learned counsel for the Applicant submits that it remained on their part to remove office objections.

4 It is to be noted that the matter had appeared before the learned Registrar

(Judicial-II) on 23.02.2019, 31.03.2019 and 17.04.2019 when none appeared for the Applicant.

5 Considering the submissions made by the learned counsel for the Applicant and the reasons disclosed in the Civil Application, I am satisfied that the Applicant has made out a case for allowing the Civil Application. At the same time, the Applicant has to pay costs of Rs.5000/-.

6 Hence, the following order is passed:

- a. Order dated 17.04.2018 passed by the learned Registrar (Judicial-II) is set aside.
- b. The First Appeal is restored to file for hearing on merits.
- c. The Applicant is directed to remove all office objections on or before 29.06.2019, failing which the matters shall stand dismissed without further reference to the court.
- d. The Applicant to pay costs of Rs.5000/-.
- e. The costs shall be paid to the Kirtikar Law Library, High Court, Mumbai and place

a receipt thereof on record on or before 15.06.2019, failing which the Civil Application shall stand dismissed without further reference to the court.

f. Civil Application stands disposed of accordingly.

(K.K.TATED, J.)