

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

CIVIL APPLICATION NO.1367 OF 2019

IN

FIRST APPEAL NO.1714 OF 2003

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.Kiran R. Bhagalia for the applicant

Mr.Yogesh Dabake, A.G.P. for the respondent
no.2

Mr.B.G.Tanssali for the respondent no.1

**CORAM : K. K. TATED, J
DATE : APRIL 23, 2019**

P.C.:

. Heard.

2 By this Civil Application, Applicant is seeking to set aside the order dated 17.9.2018 passed by learned Registrar (Judicial-II) by which First Appeal NO.1714 of 2003 stands dismissed for non-removal of office objections.

3 The learned counsel for the Applicant submits that learned Registrar by order dated

17.9.2018 directed Applicant to deposit paper book charges in the lower court. She submits that they already deposited paper book charges in the Trial Court on 1.4.2019. She submits that to that effect, they made a statement in paragraph 4 of the Civil Application. Same is accepted.

4 Considering the submissions made by the learned counsel for the Applicant and the averments made in the Application, I am satisfied that the Applicant has made out a case for allowing the present Civil Application. Hence, the following order:

- a) Delay in filing the Civil Application is condoned.
- b) Order dated 17.9.2018 passed by learned Registrar (Judicial-II) is set aside.
- c) First Appeal No.1714 of 2003 is restored on file for hearing on its own merits.
- d) Civil application stands disposed of accordingly.
- e) No order as to costs.

(K.K.TATED, J.)