

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 1495 OF 2018
IN
R.C. NO.356 OF 2018**

Sakharam Ramdas Mahale Applicant.

Vs.

Salil Milind Deshpande and Anr. Respondents.

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Mr. Omkar Kulkarni i/by Rajan S. Pawar for the applicant.
None for the respondents.

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**CORAM : K.K.TATED, J.
DATED : AUGUST 19, 2019**

P.C.

Heard Learned Counsel Mr.Omkar Kulkarni for the
applicant.

2. By this Civil Application, applicant is seeking restoration of First Appeal (St.) No.25844 of 2017 which stands dismissed in view of the order dated 15/01/2018 passed by the Learned Registrar (II).

3. The Learned Counsel for the applicant submits that inadvertantly, it remains on their part to remove office objections within time. He submits that in the interest of justice, this Hon'ble Court be

pleased to restore the First Appeal by setting aside the order dated 15/01/2018 passed by the Learned Registrar.

4. Considering the submissions made by the Learned Counsel for the applicant and the averments made in Civil Application, I am satisfied that the applicant has made out case for the following order :-

ORDER

- (a) Order dated 15/01/2015 passed by the Learned Registrar Judicial (II) is set aside.
- (b) First Appeal (Stamp) No.25844 of 2017 is restored to file for hearing on merits.
- (c) Applicant to remove all office objections on or before 13/09/2019, failing which, First Appeal shall stand dismissed without further reference to the Court.
- (d) Civil Application stands disposed of accordingly.
- (e) No order as to costs.

(K.K.TATED, J.)