

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Civil Application No. 1351/2019
in
First Appeal No. 191/2015

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

CORAM : K.K.TATED, J.
DATED : APRIL 22, 2019

P.C.

Heard. None appeared for the Respondent though duly served. The Affidavit of service is filed.

2 By this Civil Application, the Applicant - Plaintiff is seeking to set aside the order dated 16.01.2018 passed by the learned Registrar (Judicial-II) by which the Civil Application (ST) No.29746/2017 stood dismissed for non removal of office objections.

3 The learned counsel for the Applicant submits that the Applicant undertakes to remove all office objections on or before 15.06.2019.

4 Considering the submissions made by the learned counsel for the Applicant and as the Applicant is ready and willing to remove all office objections on or before 15.06.2019, 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.

5 Hence, following order is passed:

- a. Delay in filing the Civil Application is condoned.
- b. The order dated 16.01.2018 passed by the learned Registrar (Judicial-II) is set aside.
- c. Civil Application (ST) No.29746/2017 is restored to file for hearing on merits.
- d. The Applicant is directed to remove all office objections in Civil Application (ST) No.29746/2017 on or before 15.06.2019, failing which this Civil Application shall stand dismissed without further reference to the court.
- e. The Applicant to pay costs of Rs.1000/-.

f. The cost shall be paid to Kirtikar Law Library, High Court, Mumbai, on or before 04.05.2019 and place a receipt thereof on record, failing which the present Civil Application shall stand dismissed without further reference to the court.

g. Civil application stands disposed off accordingly.

(K.K.TATED, J.)