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

**CIVIL APPLICATION NO. 484 OF 2018
IN
CIVIL APPLICATION (ST.) NO. 18208 OF 2016
IN
CROSS OBJECTION NO. 18204 OF 2016
IN
FIRST APPEAL NO. 1560 OF 2013**

Hari Posha Mhatre
(since deceased through his legal heirs) & Ors. ... Applicants

V/s.

The State of Maharashtra & Anr. ... Respondents

.....
Mr. Shivshankar D. Patil for the Applicant.
Mr. Yogesh Dabake, AGP for the Respondent-State.

.....

CORAM : K.K. TATED, J.

DATE : 25th JUNE, 2019.

P.C.:

Heard learned Counsel Mr. Shivshankar D. Patil for the
Applicant and Mr. Yogesh Dabake for the Respondent State.

2. By this Civil Application, the Applicant original claimant is
seeking condonation of 55 days delay in filing the present Civil

Application. He further seeks to set aside the order dated 3rd February 2017 passed by learned Registrar (Judl.-II) by which Civil Application Stamp No. 18208 of 2016 and Cross Objection Stamp No. 18204 of 2016 stands dismissed for non removal of office objections.

3. The learned Counsel for Applicant submits that Applicant under takes to remove all office objections within four weeks.

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

- i) Delay in filing the Civil Application is condoned.
- ii) Order dated 3rd February 2017 passed by learned Registrar (Judl.-II) is set aside.
- iii) Civil Application Stamp No. 18208 of 2016 (R.C. No.602 of 2017) with Cross Objection Stamp No. 18204 of 2016 (R.C. No.603 of 2017) is restored on file for hearing on its own merits.

- iv) Applicant to remove all office objections on or before 31st July 2019, failing which civil application shall stand dismissed without referring back to the court.
- v) Civil Application stands disposed off accordingly.
- vi) No order as to costs.

(K.K. TATED, J.)