

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

**CIVIL APPLICATION NO.2561 OF 2017
IN
REJECTED CASE NO.767 OF 2014**

Smt. Lata Machindra Kamble and
Ors.

....Applicants

V/s.

Ananda Shivling Mali and Ors.

....Respondents

...

Ms Aakanksha Helaskar I/b. Mr. Ashutosh M. Kulkarni for the
Applicants.

None for the Respondents.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED : 06th AUGUST, 2019.

P.C.:-

By this application the Applicants have sought to condone the delay of 3 years and 78 days in filing the application to restore the First Appeal (stamp) No.34451 of 2012, registration of which was refused for non removal of office objections vide order dated 13th January, 2014.

2. The learned counsel for the Applicants has drawn my attention to paragraph 4 of the application, wherein it is stated that the Applicants had handed over papers to the Advocate on record for

removing objections. However, due to inadvertence said Advocate could not remove the office objections, which has resulted in non compliance of the order dated 13th January, 2014. It is further stated that the Applicants were not aware of the said order, hence they could not file the application within the prescribed time. The learned counsel for the Applicants undertakes to remove all office objections within a period of two weeks.

3. In the light of the reasons stated in paragraph 4 of the application, which in my considered view constitute sufficient cause and also in view of the statement made by the learned counsel for the Applicants, the application is allowed. The appeal is ordered to be registered upon removal of all office objections and be listed for admission on **27/8/2019**.

(SMT. ANUJA PRABHUDESSAI, J.)