

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

**CIVIL APPLICATION NO.640 OF 2018
IN
FIRST APPEAL NO.1183 OF 2016**

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.B.S.Shukla for the applicant

Ms.Madhuri More for the BMC

**CORAM : K. K. TATED, J
DATE : APRIL 30, 2019**

P.C.:

. Heard.

2 By this Civil Application, Applicant is seeking condonation of 62 days delay in filing present Civil Application to set aside the conditional order dated 31.3.2017 passed by learned Registrar (Judicial-II) by which First Appeal stands dismissed for non-removal of office objections.

3 The learned counsel for the Applicant

submits that they already removed all office objections. He further makes a statement that First Appeal is already admitted by this court. He submits that in the interest of Justice, this Hon'ble Court be pleased to condone the delay in filing present Civil Application and for setting aside the conditional order dated 31.3.2017.

4 Considering the submissions made by the learned counsel for the Applicant, the averments made in the Application and as First Appeal is already admitted after hearing both the sides, I am satisfied that the Appellant has made out a case for allowing the present Civil Application. Hence, the following order:

- a) Delay in filing the First Appeal is condoned.
- b) Order dated 31.3.2017 passed by learned Registrar (Judicial-II) is set aside.
- c) First Appeal No.1183 of 2016 is restored on file for hearing on its own merits.
- d) The learned counsel for the Respondent in First Appeal No.1183 of 2016 waives service.
- e) Civil application stands disposed of accordingly.
- f) No order as to costs.

(K.K.TATED, J.)