

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Civil Application No.838/2017

in

First Appeal No.343/2009

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
	Mr. Siddharth Idnani I/b. Avinash Gokhale for the Applicant Mrs. Jyoti Bajpayee for Respondent No.2.

CORAM : K.K.TATED, J.
DATED : JUNE 28, 2019

P.C.

1 Heard. By this Civil Application, the Applicant is seeking restoration of the Civil Application (ST) No.17793/2011 which stood dismissed in view of conditional order dated 03.03.2014 passed by the learned Registrar (Judicial-II). There is delay of more than 2 years and 122 days.

2 The learned counsel for the Applicant submits that in the interest of justice, this Hon'ble Court be pleased to condone the delay and Civil Application be restored to file for hearing on merits.

3 The learned counsel for the Applicant undertakes to remove all office objections within four weeks from today. He submits that the Applicant is ready and willing to pay costs to that effect.

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 within four weeks from today, following order is passed:

a. Order dated 03.03.2014 passed by the learned Registrar (Judicial-II) is set aside.

b. Civil Application (ST) No.17793/2011 is restored to file for hearing on merits.

c. The Applicant is directed to remove all office objections on or before 31.07.2019, as per order dated 03.03.2014, failing which the Civil Application shall stand dismissed without further reference to the court.

d. The Applicant to pay cost of Rs.5000/-.

e. Cost shall be paid to Kirtikar Law Library, High Court, Mumbai, on or before 19.07.2019 and place a receipt thereof on record, failing which the Civil Application shall stand dismissed without further reference to the court.

f. Civil application stands disposed off accordingly.

(K.K.TATED, J.)