

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION*****CIVIL APPLICATION NO. 26 OF 2019****IN****SECOND APPEAL NO. 684 OF 2010****Sidram Vithoba Khandekar****..... Applicant****VERSUS****Malabi @ Malanbi Abdul Shaikh,
Died by LRs.****Rashid Ahmad Shaikh & Ors.****..... Respondents**

Mr.Y.G.Thorat, i/b. Mr.A.B.Tajane for the Applicant.

Mr.Nikhil Pujari, i/b. Mr.I.M.Khairdi for the Respondent nos. 1-A to 1-B.

Ms.Akansha Helaskar, i/b. Mr.A.M.Kulkarni for the Respondent nos. 3, 4/1 and 4/2.

CORAM : R.D. DHANUKA, J.**DATE : 7th OCTOBER, 2019****P.C.**

By this civil application, the applicant seeks condonation of delay of 2 years and 11 days in filing the present civil application and seeks for setting aside the order dated 5th August,2016 passed by the learned Registrar(Judicial-II) dismissing the second appeal in view of the non-compliance of the conditional order passed by him. No affidavit in reply is filed by any of the respondents though served. Heard learned counsel for the parties and have perused the averments made in the civil application.

2. For the reasons recorded in the civil application, order dated 5th August,2016 passed by the learned Registrar(Judicial-II) is set aside on

the condition that the applicant removes all office objections within four weeks from today. It is made clear that no further extension of time would be granted. If the objections are not removed within the prescribed time, second appeal to stand dismissed without further reference to court.

3. Civil application is disposed of in the aforesaid terms. No order as to costs.

[R.D.DHANUKA, J.]