

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

**CIVIL APPLICATION NO.563 OF 2018
IN
FIRST APPEAL (ST.) NO.12969 OF 2013**

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.I.M.Khairdi for the applicant

**CORAM : K. K. TATED, J
DATE : APRIL 23, 2019**

P.C.:

. Heard.

2 By this Civil Application, Applicant is seeking to set aside the conditional order dated 13.8.2013 passed by Registrar (Judicial-II) and restore First Appeal (ST) No.12969 of 2013 on file for hearing on its own merits.

3 The learned counsel for the Applicant submits that it remained on their part to remove all office objections within time. He submits that Applicant undertakes to remove all office objections on or before 15.6.2019.

4 Considering the submissions made by the

learned counsel for the Applicant and the averments made in the Application and as Applicants are ready and willing to remove all office objections on or before 15.6.2019, I am satisfied that the Applicant has made out a case for allowing the Civil Application.

5 When the matter appeared before the Registrar on 7.11.2017, 29.11.2017 and 21.12.2017, no one appeared on behalf of Applicant. Hence, Applicant have to pay cost of Rs.2,500/-.

6 In view of these facts, following order is passed:

- a Delay in filing Civil Application is condoned.
- b. Order dated 13.8.2013 passed by learned Registrar (Judicial -II) is set aside.
- c. First Appeal (ST) No.12969 is restored on file for hearing on its own merits.
- d. Applicant to remove all office objections in First Appeal (ST) No.12969 of 2013 on or before 15.6.2019, failing which the Civil Application shall stand dismissed without further reference to the court.
- e. Applicant to pay cost of Rs.2,500/-.
- f. Cost to be deposited in the office of the Kirtikar Law Library, High Court, Bombay, on or before 3.5.2019 and place on record receipt

to that effect, failing which the matter shall stand dismissed without further reference to the court.

g. Civil application stands disposed of accordingly.

(K.K.TATED, J.)