

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION  
Civil Application No. 1532/2019

in  
First Appeal (ST) No. 35481/2017

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| 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. D. S. Joshi for the Applicant

**CORAM : K.K.TATED, J.**  
**DATED : MAY 3, 2019**

**P.C.**

Heard. By this Civil Application, the Applicant is seeking to set aside the order dated 17.04.2018 passed by the learned Registrar (Judicial-II) by which the First Appeal stood dismissed for non removal of office objections.

2 The learned counsel for the Applicant submits that it remained on their part to pay court fees in the Registry, in time.

3 It is to be noted that the matter had appeared before the Registrar on 24.02.2018, 21.3.2018, 17.04.2018 when none appeared for the Applicant.

4 Considering the submissions made by the learned counsel for the Applicant and the reasons disclosed in the Civil

Application, I am satisfied that the Applicant has made out a case for allowing the Civil Application, however on payment of costs.

5 Hence, the following order is passed:

a. Order dated 17.04.2018 passed by the learned Registrar (Judicial-II) is set aside.

b. The First Appeal is restored to file for hearing on merits.

c. The Applicant is directed to remove all office objections on or before 15.06.2019, failing which the First Appeal shall stand dismissed without further reference to the court.

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

e. The costs shall be paid to the Kirtikar Law Library, High Court, Mumbai and place a receipt thereof on record on or before 04.06.2019, failing which the Civil Application shall stand dismissed without further reference to the court.

f. Civil Application stands disposed of accordingly.

**(K.K.TATED, J.)**