

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1884/2017
IN
FIRST APPEAL NO.1334/2016

Jogendra Vijay Bahadur Singh ... Applicant

V/s.

Mamta Naresh Singh & Ors. ... Respondents

Ms. Anushka A. Shreshta for the Appellant
Mr. Devendraanath S. Joshi for Respondent No.4.

CORAM: K.K. TATED, J.

DATED : MARCH 13, 2019

P.C. :

1 Heard. Though Respondent No.1 and 3 are duly served none appeared for them.

2 By this Civil Application, the Applicant seeks restoration of the First Appeal which was dismissed in view of conditional order dated 25.11.2016 passed by the learned Registrar (Judicial-II).

3 The learned counsel for the Applicant undertakes to remove all office objections within four weeks from today. The undertaking is accepted.

4 Considering the submissions made by the learned counsel for the Applicant and the averments made in the Application and

as the Applicant undertakes to remove all office objections within four weeks from today, I am satisfied that the Applicant has made out a case for allowing the present Civil Application.

5 Hence, the following order:

- a) Delay in making the Civil Application is condoned.
- b) Order dated 25.11.2016 passed by the learned Registrar (Judicial-II) is set aside.
- c) The First Appeal is restored to file for hearing on merits.
- d) The Applicant is directed to remove all office objections within four weeks, failing which the Civil Application shall stand dismissed without further reference to the court.
- e) Civil application stands disposed off accordingly.

(K. K. TATED, J.)