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IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****CIVIL APPLICATION NO. 96 OF 2019****IN****FIRST APPEAL NO. 109 OF 2007**

Mr. Shabbir Ali Mohammed SiddiqueApplicants
and others

V/s.

The Municipal Corporation of Greater MumbaiRespondents
and others

Ms. Sapna Rachure for the applicants
Mrs. Madhuri More for BMC
Mr. A. Q. Motiwala for respondent no. 5

CORAM : K. K. TATED, J.

DATE : APRIL 2, 2019.

P.C.

At the request of the learned counsel for the appellant, matter is taken on production board.

2 By this Civil Application, applicant is seeking to set aside the order dated 28/09/2018 passed by the learned Registrar (Judicial-II)

by which Civil Application (ST) No. 20443 of 2018 stand dismissed for non removal of office objections.

3 The learned counsel for the applicant submits that they have already removed all office objections in Civil Application (ST) No. 20443 of 2018. She submits that applicant undertakes to file affidavit of service in Civil Application (ST) No. 20443 of 2018 within one week from today.

4 Considering the submissions made by the learned counsel for the applicant, averments made in Civil Application, I am satisfied that applicant has made out case for allowing the Civil Application. Hence, following order:

(I) Order dated 28/09/2018 passed by the learned Registrar (Judicial -II) is set aside.

(II) Civil Application (ST) No. 20443 of 2018 is restored to file.

(III) Applicant to remove all office objections in Civil Application

(ST) No. 20443 of 2018 on or before 12/04/2019, failing which Civil Application shall stand dismissed without referring back to the Court.

5 Civil Application stands disposed of accordingly.

6 No order as to costs.

[K. K. TATED, J.]