

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Civil Application No.2230/2019

in

Rejected Case no.1873/2017

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. Vishwanath Patil I/b. Mr. Sandeep Katke for the Applicant
Mr. Devendranath S. Joshi for Respondent No.1.

CORAM: K.K.TATED, J.
DATED : OCTOBER 18, 2019

P.C.

1 Heard. Though Respondent No.2 is duly served, none appeared for them.

2 By this Civil Application, the Applicant is seeking to set aside the order dated 24.08.2017 passed by the learned Registrar (Judicial-II) by which the First Appeal stood dismissed for non removal of Office objections.

3 The learned counsel for the Applicant submits that inadvertently, it remained on the part of the Applicant to remove all Office objections. He submits that the Applicant undertakes to remove all Office objections within four weeks from today.

4 Considering the submissions made by the learned counsel for the Applicant and the averments made in the Civil Application, I am satisfied that the Applicant has made out a case for allowing the Civil Application.

5 Hence, following order is passed:

- a. Delay in filing the First Appeal is condoned.
- b. Order dated 24.08.2017 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 on or before 30.11.2019, failing which the Civil Application shall stand dismissed without further reference to the court.
- e. The Civil Application stands disposed of accordingly.
- f. No order as to costs.

(K.K.TATED, J.)