

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.945/2019
IN
FIRST APPEAL NO.975/1997

Shaikh Abdul Razak Ismail & Ors. ... Applicants

V/s.

Municipal Corporation of Gr. Mumbai ... Respondent

Mr. S. M. Kazi for the Applicants

CORAM: K.K. TATED, J.

DATED : MARCH 13, 2019

P.C. :

1 Heard. By this Civil Application, the Applicant seeks to set aside the conditional order dated 18.10.2011 passed by the learned Registrar (Judicial-II) by which the Civil Application (ST) No.8654/2011 stood dismissed for non removal of office objections.

2 The learned counsel for the Applicants submits that the Applicants undertake to remove all office objections in Civil Application (ST) No.8654/2011 within four weeks from today. The undertaking is accepted.

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

the present Civil Application.

4 Hence, the following order is passed:

- a) Delay in filing the Civil Application is condoned.
- b) The order dated 18.10.2011 passed by the learned Registrar (Judicial-II) is set aside.
- c) Civil Application (ST) No.8654/2011 is restored to file for hearing on merits.
- d) The Applicant to remove all office objections in Civil Application (ST) NO.8654/2011 within four weeks from today, failing which the Civil Application shall stand dismissed without further reference to the court.
- e) Civil application stands disposed off accordingly.
- f) No order as to costs.

(K. K. TATED, J.)