

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CIVIL APPLICATION NO.2941 OF 2020 IN RC/637/2016

ARUN BAPUSAHEB HATOTE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Applicants : Ms. Asha D. Rakh
AGP for Respondents No.1 and 2 : Mr. P. M. Kulkarni

...
CORAM : K.K. SONAWANE, J.
DATED : 04th MARCH, 2020.

ORDER :-

Heard learned counsel for applicants-original claimants and learned AGP for respondents No.1 and 2. Perused the application and other relevant documents placed on record.

2. Learned counsel for applicants submits that inadvertently due to unavoidable circumstances the objections notified by the Registrar could not be removed within stipulated period, which resulted into refusal of registration of appeal. He undertakes to remove the entire office objections within a period of two weeks in case proceeding of appeal allowed to be restored at its original stage. He prayed to restore the appeal.

3. In view of reasons mentioned in the application and submissions advanced on behalf of applicants, there is no impediment to allow the application. Accordingly, Civil Application stands allowed in terms of prayer clauses 'B' and 'C'. The impugned order of refusal of registration of First Appeal, dated 21-06-2016 is hereby set aside and quashed. The proceedings of First Appeal (Stamp) No. 34230 of 2015 be restored at its original stage. The applicants-appellants to remove office objections notified on behalf of learned Registrar within a period of two weeks from the date of restoration of said proceedings, failure to which, the present order shall stand vacated automatically without further reference to this Court and the proceeding of First Appeal be treated as dismissed. In case office objections are removed, list the proceeding of FAST/34230/2015 for further process on 9th April, 2020.

4. The Civil Application stands disposed of in above terms.

Sd./-
[K. K. SONAWANE]
JUDGE