

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

947 CIVIL APPLICATION NO.11632 OF 2018
IN RC/1107/2018

GANGARAM MAROTI SUSTARPHOD
VERSUS
THE STATE OF MAHARASHTRA AND ORS

Advocate for Applicant : Mr. G. N. Chincholkar
AGP for Respondents No. 1 and 2 : Mr. P. M. Kulkarni

CORAM : K.K. SONAWANE, J.

DATED : 18th FEBRUARY, 2020.

ORDER :-

1. Heard learned counsel for the applicant and learned AGP for respondents No. 1 and 2. Perused the application. It appears that the applicant did not remove office objections and deficiencies, if any, notified by the Registry within stipulated period, therefore, registration of proceedings of the appeal and civil applications therein filed by applicant has been refused under the order dated 03-07-2018 rendered by learned Registrar (Judicial) of this Court. The learned counsel for applicant undertakes to remove the office objections within a period of two weeks in case the proceeding is restored to its original stage.

2. In view of nature of subject-matter and reasons recorded by learned Registrar (Judicial) for refusal of registration of the appeal, it would be justifiable to give one more opportunity to the applicant for requisite compliance of the office objections raised by the Registry. Definitely it would sub-serve the purpose for substantial justice, into the matter. Hence, application deserves to be allowed.

3. Accordingly, civil application is allowed in terms of prayer clause "B". The order dated 03-07-2018 refusing registration of

the appeal passed by the learned Registrar (Judicial) is hereby recalled. Proceedings of First Appeal on Stamp number with Civil Application 15765 of 2018 is restored to its original stage subject to condition that applicant shall remove the entire office objections and deficiencies, if any, within a period of two weeks from the date of its restoration. In case, the applicant fails to remove the same within stipulated period, as indicated above, present application shall stand rejected. If the office objections and deficiencies, if any, are removed within stipulated period, list the proceedings of appeal and civil application therein for further process.

4. Present civil application stands disposed of in above terms.

[K. K. SONAWANE]
JUDGE

MTK