

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

CIVIL APPLICATION NO.3449 OF 2018 IN RC/1035/2017

KUDRATBEEUNISA SULTANODDIN (DIED) LRS SAYED AND ANR
VERSUS
THE STATE OF MAHARASHTRA AND ANR

...
Advocate for Applicants : Mr. Dattatraya R. Jayabhar
AGP for Respondent No. 1 : Mr. M. A. Kulkarni

...
CORAM : K.K. SONAWANE, J.
DATED : 28th FEBRUARY, 2020.

ORDER :-

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

2. It has been contended that applicants have preferred proceeding of First Appeal Stamp No. 16762 of 2017, but, there were some objections notified by the Registrar of this Court. Learned counsel for applicants submits that due to unavoidable circumstances, the objections notified by the Registrar could not be removed within stipulated period by the applicants resulting into the refusal of registration of appeal. He undertakes to remove the entire office objections within a period of two weeks in case proceeding of appeal came to be restored at its original stage. He prayed to restore the appeal.

3. In view of reasons mentioned in the application and submission advanced at bar on behalf of applicant, there is no impediment to allow the application. Accordingly, Civil Application stands allowed in terms of prayer clause 'B' and 'C'. The impugned order of refusal of registration of First Appeal dated 29-08-2017 is hereby set aside and quashed. The proceedings of First Appeal (Stamp) No. 16762 of 2017 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.

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

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