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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL REVISION APPLICATION (ST) NO. 1331 OF 2020

Smt. Ida J. Fernandes
Since Deceased through LRS.
Fr. Anthony Fernandes

... **Applicant.**

Versus

Savio Robert Gonalves and Ors.

... **Respondents.**

Mr. Dushyant Pagare i/b Ms. Mayuri Karekar for the Applicant.
Ms. Eventa A. Gonsalves for the Respondent No.1.

CORAM : A. S. GADKARI, J.

DATE : 30th JANUARY, 2020

P. C. :

1. The record indicates that, the condonation of delay application i.e. MARJI Application (St.) No. 132 of 2019 preferred by the applicant is disposed of for non removal of office objections, by the Small Causes Court, Mumbai by its Order dated 30th August 2019.
2. Learned counsel for the applicant submitted that, the applicant has now taken steps for removing office objections in the said Condonation of Delay application i.e. MARJI Application (St) No. 132 of 2019 and restoration application i.e. MARJI Application (St) No. 27 of 2020 filed in the substantive appeal. He, further on instructions, submitted that, the applicant will remove office objections on or before 17th February 2020 and will proceed with the hearing of MARJI Application (St) No. 132 of 2019 and the restoration application filed in the substantive appeal. The said statement is accepted as an undertaking given to this Court.

3. In view thereof, learned counsel appearing for the respondent No.1-Decree holder, on instructions, submitted that, her client will not proceed with the execution proceeding till 18th February 2020. The said statement is accepted.

4. Learned counsel for the applicant submitted that, till date the applicant has not created any third party right, title or interest in the suit property. The applicant is hereby directed not to create any third party right, title or interest in future till the present litigation attains finality.

5. Revision Application is disposed off in the aforesaid terms.

(A. S. GADKARI, J.)