

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 2341 OF 2020
IN
REJECTED CASE NO. 40 OF 2020
(Second Appeal (St.) No.18604 of 2019)**

Anand M. Jain HUF	... Applicant
V/s.	
Uttar Bhartiya Public Charitable Trust of Bombay Public Trust, Thane and Ors.	... Respondents

Mr. B.C. Joshi, Advocate for Applicant.
Mr. Ramdas A Shelke, Advocate for Respondents.

**CORAM : A.S. GADKARI, J.
DATE : 29th NOVEMBER, 2021.**

PC. :

1. This is an application for restoration of Second Appeal (St.) No.18604 of 2019, which was dismissed for non removal of office objections within stipulated period in pursuance of Order dated 14th November 2019 passed by the Registrar (Judicial-II).
2. It appears that, though the Registry has calculated the delay of 62 days, there is in fact a delay of 35 days in filing the present Application. It appears that, Registry has not given benefit of period of limitation of 30 days to the Applicant in filing present Application.
3. Perusal of application would indicate that, sufficient cause is made out for condonation of delay and restoration of Appeal.

4. In view thereof and for the reasons stated in the present Application, delay is condoned and the application is allowed in terms of prayer Clauses (a) and (b).

5. Applicant/Appellant is directed to remove office objections, if any, within a period of three weeks from today, failing which Appeal shall stand dismissed without further reference to the Court.

6. Application is allowed in the aforesaid terms.

[A.S. GADKARI, J.]

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