

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 3939 OF 2021

IN

SECOND APPEAL (ST) NO. 437 OF 2020

Anil Appasaheb Nikam and ors.

... Applicants.

V/s.

Babutai Shripati Shinde & ors.

... Respondents

Mr.S. R. Ghanvat for the Applicants.

CORAM : A.S. GADKARI, J.

DATE : 10th December 2021

PC. :

1. This is an application for restoration of Second Appeal (St.) No.437 of 2020 which was dismissed for non compliance of Order dated 9th September 2021 passed by the Registrar (Judicial-II).

2. Advocate Mr. Ghanvat submitted that the present Application is filed within a period of limitation.

2. Perusal of the Interim Application would indicate that, sufficient cause is made out for restoration of the Second Appeal and Interim Application.

3. In view thereof, the Interim Application is allowed in terms of prayer Clauses (a).

4. Applicants are directed to remove Office objections within a period of three weeks from today, failing which, the present Second Appeal and Interim Application shall stand dismissed without further reference to this Court.

[A.S. GADKARI, J.]