

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

**CIVIL APPLICATION NO. 11778 OF 2022
IN CAST/22673/2020 IN SA/662/2019**

**MANOHAR KERBA BIRADAR DEAD LRS. GODAWARI MANOHAR BIRADAR
AND OTHERS
VERSUS
GOVINDRAO KERBA BIRADAR DEAD LRS. MATHURABAI GOVINDRAO
BIRADAR AND ANOTHER**

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Advocate for Applicants : Mr. Bhide Vinod Y.

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**CORAM : BHARAT P. DESHPANDE, J.
DATE : 18th AUGUST 2022.**

Per Court :

1. This is an application for condonation of delay and restoring the Civil Application Stamp No. 22673/2022, which was filed for bringing legal heirs of the Appellant as well as Respondent No.1.
2. Learned Counsel for the Applicant submits that Civil Application Stamp No. 22673/2022 was under office objections and the objections were not removed within time. Thus, vide order dated 22.09.2021,

learned Registrar Judicial of this Court refused to register the said application.

3. Learned Counsel for the Applicant submits that there was no intentional refusal to remove office objections and it was due to miscommunication and therefore Applicant be given opportunity to remove office objections and thereafter to register the Civil Application.

4. Considering the grounds mentioned from Paragraph No.4 onwards, Applicant has made sufficient cause for condoning the delay as well as quashing and setting aside of order dated 22.09.2021 passed by the Registrar Judicial thereby to register the Civil Application. Learned Counsel for the Applicant undertakes to remove all office objections within a period of two weeks. On removal of such office objections, the Civil Application Stamp No. 22673/2022 shall be registered. Hence the following order.

ORDER

- (i) The Civil Application No.11778/2022 stands allowed.
- (ii) Delay in filing the present application is condoned.

(iii) Order dated 22.09.2021 passed by the Registrar (Judicial) is hereby quashed and set aside.

(iv) Applicant is granted two weeks time to remove all office objections. Thereafter the Civil Application Stamp No. 22673/2022 shall be registered.

5. In view of this, the Civil Application No.11778/2022 stands disposed of.

[BHARAT P. DESHPANDE, J.]

Najeeb.