

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

**CIVIL APPLICATION NO. 11454 OF 2022
IN SAST/9502/2021**

Kailash Prakash Bafna .. Applicant

Versus

Nitin Jaikumar Pahade and others .. Respondents

Mr. Gajendra Devichand Jain (Bhansali), Advocate for the Applicant.

CORAM : BHARAT P. DESHPANDE, J.

DATED : 05th AUGUST, 2022.

PER COURT:-

1. Heard.
2. This is an application for restoration of the Second Appeal (Stamp) No. 9502 of 2021 which was dismissed on 02.03.2022 by the learned Registrar (Judicial) for non removal of office objections.
3. Learned counsel submits that non marking of cause list, he missed the said date of the matter and there was no deliberate attempt or intention. He undertakes to remove all office objections within a period of three (03) weeks if the Second Appeal (Stamp) No. 9502 of 2021 is restored.
4. Considering the above submission and contentions raised in the present application which are on affidavit, opportunity is required to be

given to the applicant to argue the matter on merit.

5. In view of this, the application needs to be allowed. Hence, the following order.

ORDER

(I) The Application stands allowed.

(II) The impugned order dated 02.03.2022 passed by the learned Registrar (Judicial) in Second Appeal (Stamp) No. 9502 of 2021 is hereby quashed and set aside. Second Appeal (Stamp) No. 9502 of 2021 is restored. All the office objections to be removed within a period of three (03) weeks from today.

(III) The application stands disposed of accordingly.

(BHARAT P DESHPANDE, J.)

PS.B.