

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO.2887 OF 2020
IN
REJECTED CASE NO.2259 OF 2019

SALGAONKAR
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Date: 2022.05.05
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Haribhau Thaku Randive .. Applicant

Versus

Chandrashekhar Namdev Wajge .. Respondent

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Mr.Milind A. Ingole for the Applicant/Appellant.

Ms.Mrunmayi Khambete i/b Mr.Vilas S. Tapkir for the
Respondent No.1.

...

CORAM: BHARATI DANGRE, J.

DATED : 04th MAY 2022

P.C:-

1. By the present application, the order refusing registration to the second appeal, is sought to be set aside and it is prayed that the second appeal be restored to the file.

2. Heard the learned counsel for the applicant and the learned counsel for respondent No.1.

On 01/08/2019, the Registrar (Judicial II) passed a conditional order for removal of office objections within a

period of four weeks, failing which the appeal was refused registration. Since the objections were not removed, the order took its effect and the appeal stood dismissed.

On realizing that the appeal has been dismissed, the application is taken out for its restoration after a period of 181 days and, therefore, the delay is also sought to be condoned.

3. On perusal of the application, I am satisfied that the appeal deserves to be restored by condoning the delay. However, this shall be subject to deposit of Rs.5,000/- by the counsel for the applicant in the Kirtikar Law Library within a period of four weeks from today.

The application is allowed in terms of prayer clause (b).

4. The applicant shall remove the office objections within a period of four weeks from today. On the appeal being registered after removal of the office objections, the copy of the same shall be served on the other side.

(SMT. BHARATI DANGRE, J.)