

Shailaja

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO.10224 OF 2022
IN
SECOND APPEAL [STAMP] NO.18621 OF 2019**

Shivaji Fakira Bhambare] Applicant

IN THE MATTER BETWEEN:

Shivaji Fakira Bhambare] Appellant

Vs.

Dashrath BAburao Naik] Respondent

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Mr. Vaibhav Kulkarni, for Applicant/Appellant.

Mr. Amey C. Sawant i/b Suresh M. Sabrad, for Respondent.

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CORAM : PRITHVIRAJ K. CHAVAN, J.

DATED : 6th JULY, 2022.

P.C.

1. Applicant has prayed for recalling an order of Registrar (Judicial - II) dated 12th October, 2021 by which he was granted four weeks time to remove office objections. It was a self-operative order which contemplates dismissal of the appeal automatically if office objections are not removed within the said period.

2. Heard Mr. Kulkarni, learned Counsel for the applicant. In short, he contends that miscommunication on the part of the applicant with his Advocate resulted into dismissal of the second appeal. He further submits that as the applicant is a farmer residing in the remote part

of Nashik District, it was difficult for him to keep track of the proceedings on the website, and, therefore, objections could not be removed within prescribed period.

3. Explanation is satisfactory and, therefore, order passed by Registrar (Judicial II) is set aside. Appeal shall be restored to its original file. Application is disposed of with no order as to costs. Applicant shall remove office objections within two weeks from today.

[PRITHVIRAJ K. CHAVAN, J.]