

Sharayu Khot.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 16734 OF 2022

IN

FIRST APPEAL (ST) NO. 2005 OF 2021

Shri. Rajesh Vivek Salunke

...Applicant

Versus

Shri. Anant Krishanaji Kulkarni

...Respondent

Mr. Suhas B. Rohile for the Applicant/Appellant.

CORAM : R.I. CHAGLA J

DATE : 29 November 2022

ORDER :

1. Heard learned Advocate appearing for the Applicant/Appellant.

2. By this Interim Application, the Applicant is seeking recall of the conditional order dated 27th April 2022 passed by the Registrar (Judicial II) and for the First Appeal to be restored to its file and time be granted for removal of office objections.

3. The Applicant has stated that one of the office objections was to deposit satisfactory amount under the Motor Vehicles Act. However, the office objections could not be removed before the statutory date mentioned in the conditional order dated 27th April 2022 on account of economic fallout from Covid 19 pandemic as well as the major impact on the health of the Applicant. Accordingly, the present Interim Application has been filed.

4. Having considered the averments in the Interim Application as well as taking note of the fact that the Applicant was unable to comply with the office objections with regard to the deposit of the statutory amount under the Motor Vehicles Act for the aforementioned satisfactory reasons which have also been averred to in paragraph 7 of the Interim Application, a case is made out for grant of relief sought. Hence, the following order is passed. :-

(i) Interim Application is allowed by recall of the conditional order dated 27th April 2022.

(ii) First Appeal (St) No. 2005 of 2021 is restored to file.

(iii) The Applicant/Appellant is granted three weeks time from today to remove office objections failing which the First Appeal shall stand rejected without further reference to the Court.

(iv) Interim Application is accordingly, disposed of.

[R.I. CHAGLA J.]