

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 2437 OF 2019
IN
REJECTED CASE NO. 1931 OF 2019**

Mr. Umesh Govind Yerunkar ...Applicant

Vs.

Mr. Rajesh Govind Yerunkar & Ors. ...Respondents

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Mr. Harish R. Pawar, for the Applicant.

Mr. Santosh Parad i/b. Ms. Aruna Salva, for the Respondent No.5
/ MCGM.

.....

CORAM : SHRIKANT D. KULKARNI, J.

DATE : 15 JULY, 2022

P.C.

. It is an application for restoration of appeal by setting aside the conditional order passed by the Registrar (Judicial II) of this Court.

2. Heard Mr. Haresh Pawar, learned counsel for the Applicant and Mr. Santosh Parad i/b. Ms. Aruna Salva, learned counsel for the Respondent No.5 / MCGM. Mr. Mohan Khatavkar, learned

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counsel for Respondent No.1 who is the main contesting party, remained absent, when the matter is called out.

3. It is revealed during the course of argument that the Appellant failed to remove office objections within a period of four weeks and ultimately, the registration came to be refused. In order to decide the appeal, on its own merits, it is necessary to set aside the order passed by the Registrar (Judicial II) of this Court by restoring the appeal to its original position.

ORDER

(i) The application is hereby allowed in terms of prayer clause 9(a).

(ii) The Applicant is permitted to remove the office objections, within two weeks from today.

(iii) If the office objections are removed, the Registry is directed to make scrutiny of the appeal as per procedure and thereafter, it be numbered and placed before the concerned Court for admission.

(iv) The civil application is accordingly disposed of.

(SHRIKANT D. KULKARNI, J.)