

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

944 CIVIL APPLICATION NO.1255 OF 2009
IN RC/1933/2008

DHARMENDRA BHIVSAN ZALTE
VERSUS
VISMALBAI ARJUN ZALTE AND ANR

...
Advocate for Applicant : Mr. A.J. Patil h/f. Mr. P.S. Patil

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CORAM : ARUN R. PEDNEKER, J.
DATED : 14/06/2023

PER COURT :

1. Heard.
2. It is the case of the petitioner that the petitioner has no direct contact with the advocate for the petitioner at Aurangabad bench of High Court as the matter is handed over to advocate at Aurangabad bench of High Court through the advocate before the lower court. Advocate at Aurangabad has informed about the objections to the advocate of lower court. As the phone number of the petitioner has been changed during that period, the advocate of lower court could not contact the petitioner. The petitioner came to know about the dismissal of the present proceedings after the execution proceedings were initiated and thereafter, this application was filed.
3. For the reasons stated in the application and in the interest of justice, civil application is allowed. The delay is condoned. The order of Hon'ble Registrar refusing the registration of the present second appeal as against respondent Nos. 1, 2 and 4 is set aside. All office objections be cured within three weeks from today.
4. List the second appeal on 26.7.2023.

[ARUN R. PEDNEKER J.]

ssc/