

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 4349 OF 2023 WITH
CIVIL APPLICATION NO. 2109 OF 2023 IN
FIRST APPEAL ST. NO. 3917 OF 1998

Shamrao Jalbarao Mhaske (died)
through L.Rs.

Applicants

Versus

The State of Maharashtra & another

Respondents

Mr. S. V. Mundhe, advocate for the Applicants

Mr. S. W. Munde, AGP for Respondents

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 25th April, 2023.

PC :

Heard rival submissions.

The applicants are seeking to set aside of the order dated 03.11.1998 whereby registration of their first appeal was refused for non removal of office objections. There is also huge delay in filing this application and in the meantime, the appeal memo and annexures are also destroyed. The learned Counsel for the applicants undertakes to reconstruct the same and to remove all the office objections within six weeks.

In view of the same, order dated 03.11.1998 stands

set aside and the appeal, after reconstruction, is restored for removal of all the office objections within six weeks, subject to cost of Rs.10000/- (Rs. Ten thousand) to be paid to the Bar Library of Advocates' Association of Bombay High Court at Aurangabad.

After payment of cost and removing all the office objections, the applicants are permitted to bring themselves on record, being the legal representatives of original appellant – Shamrao Jalbarao Mhaske, who admittedly died on 21.12.2018.

Both the Civil Applications are disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

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