

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 5269 OF 2020 IN
REJECTED CASE NO. 364 OF 2020 IN
FIRST APPEAL ST. NO. 11955 OF 2019

Savita Amol @ Bharat Phatangare & others Applicants

Versus

Arun Nivrutti Dalvi & others Respondents

Mr. M. K. Bhosle, Advocate for the applicants.

CORAM : R. M. JOSHI, J.
DATE : 15th FEBRUARY, 2023.

PER COURT :

1. Heard.
2. This is an application for restoration of First Appeal No. 11955/2019 which came to be dismissed on 4th February, 2020, for non-removal of office objections.
3. No notice was issued to the respondents before dismissal of the appeal. Hence, no notice is required to be issued to them at this stage.

4. The application is filed in time. This Court is satisfied with the reasons mentioned in the application for non-removal of office objections which has resulted into dismissal of the appeal.

5. Learned counsel for the applicants makes a statement to remove office objections within a period of one week. Statement is accepted.

6. In view of this, application is allowed in terms of prayer clauses 'B' and 'C'. Order dated 4th February, 2020 passed by the Registrar is quashed and set aside. First appeal be restored at the stage of its dismissal. In case, objections are not removed within a period of one week, the appeal shall stand dismissed without reference to the Court.

7. Civil application stands disposed of.

(R. M. JOSHI)
Judge