

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

**8 CIVIL APPLICATION NO.11351 OF 2022
IN FAST/26581/2019**

**BANDU BHAUSAHEB JADHAV
VERSUS
MADHAV RANGNATH TUPE AND ORS**

Mr. P. P. Wangikar, Advocate h/f Mr. R. V. Gore, Advocate for the applicant

CORAM : KISHORE C. SANT, J.

DATE : 25th OCTOBER, 2023

P. C.

1. This application is preferred challenging the order of refusal of registration of the first appeal for want of removal of objections and there is delay of 119 days caused in filing this application.

2. The learned Registrar (Judicial) of this court by order dated 16-11-2021 had passed conditional order granting two weeks to remove the office objections. On failure to remove the office objections, the registration shall be refused automatically without further reference to the court.

2. The civil application is filed for restoration of the first appeal by setting aside the above referred order. It is specifically submitted that office objections are removed and now there is no office objections.

3. Refusal of registration order was passed even prior to issuance of notice in the first appeal and hence no notice is required to other side.

4. This court finds that therefore, no notice is required to the other side. Hence, the following order.

ORDER

A] Application stands allowed.

B] The delay stands condoned.

C] The order dated 16-11-2021 passed by the learned Registrar (Judicial) of this court stands quashed and set aside.

D] Appeal be registered to its original position.

[KISHORE C. SANT, J.]