

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

**913 CIVIL APPLICATION NO.7790 OF 2023
IN SAST/31723/2022**

**PUNDLIK LALU MISALWAD DIED LRS. CHANDRABAI PUNDLIK
MISALWAD AND OTHERS.**

VERSUS

SOPAN HANMANTRAO PITLEWAD AND OTHERS.

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**Advocate for Applicants : Mr. Nitin Tribhuvan h/f.
Mr. Mrigesh D. Narwadkar**

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CORAM : ARUN R. PEDNEKER, J.

DATE : 30.06.2023

PER COURT :

1. The present Civil application is filed to set aside the order dated 11.01.2023 passed by the learned Registrar [Judicial], by condoning the delay of 139 days in filing the present Civil Application.

2. The learned counsel for the applicants submits that by order dated 11.01.2023, the learned Registrar [Judicial] has refused to register the Second Appeal as the applicants failed to remove the office objections within stipulated period. The learned counsel for the applicants submits that the delay caused in filing the present Civil Application is not intentional and deliberate. If the matter is not restored to its original position, the applicants would suffer

irreparable loss and hardship. On the contrary, no hardship would cause to the respondents if the delay is condoned. The valuable rights of the applicants are involved in the present matter. The learned counsel for the applicants, therefore, submits that considering the above facts, the present application may be allowed by condoning the delay of 139 days.

3. For the reasons stated in the Civil Application, the same is allowed. Delay is condoned. The order dated 11.01.2023 is set aside. Second Appeal is restored to its original position. Accordingly, Civil application is disposed of.

4. The applicants to remove office objections within a period of three weeks. In the event, the applicants failed to remove the office objections within three weeks, the order dated 11.01.2023 passed by the Registrar [Judicial] will stand restored.

(ARUN R. PEDNEKER)
JUDGE

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shp/-