

Sushma

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 16130 OF 2022
IN
SECOND APPEAL STAMP NO. 17773 OF 2021

Ramjanardhan Jedhe and others ... Appellants

Versus

Shahadeo Vitthal Kolhate and others ... Respondents

...
Mr. R.P. Dhase – Advocate for Appellants

....

CORAM : GAURI GODSE, J.

DATE : 03rd March, 2023

PER COURT :

1. This application is filed for setting aside conditional order dated 09th March, 2022, passed by the learned Registrar (Judicial).
2. The office objections were not removed within the conditional time, hence, the registration for Civil Application for condonation of delay in filing Second Appeal as well as the Second Appeal was refused.
3. Learned Advocate for the applicant has carried out amendment to the application explaining the reasons for the delay caused in filing the present application.
4. Learned Advocate states that when the conditional order was

passed there was no Caveat filed and the respondent no. 3 appearing in the matter. Learned Advocate also states that all the office objections are removed.

5. Hence, for the reasons stated in the application, Civil Application is allowed in terms of prayer clause 'a', which reads thus :

“a. This Civil Application may kindly be allowed, the delay of 90 days caused in filing of the present Civil Application may kindly be condoned and the Conditional Order passed by the Ld. Registrar dated 09/03/2022 in Second Appeal Stamp No. 17771 of 2021 may kindly be set aside and the Second Appeal Stamp No. 17771 of 2021 may kindly be restored.”

6. Application is allowed.
7. Office to register the application for condonation of delay and list the Second Appeal on 17th March, 2023.

[GAURI GODSE, J.]