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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 2518 OF 2023
IN
APPEAL FROM ORDER (STAMP) NO. 11676 OF 2020

Ramsing Lumbha Rathod

... Applicant

Versus

Dr. Mohd. Nasrullah Farooqui
(Since deceased) Through L.Rs.
Sabera Begum Mohd. Nasrullah Farooqui
and others

... Respondents

...
Mr.D.K. Kulkarni – Advocate for Applicant

....
CORAM : GAURI GODSE, J.
DATE : 1st March, 2023

PER COURT :

1. This application is for restoration of Appeal From Order by setting aside the conditional order dated 5th August, 2021 passed by learned Registrar (Judicial). There is also prayer for condonation of delay.
2. Learned advocate appearing for applicant states that all the office objections will be removed within a period of four weeks from today. He submits that there was no caveat filed in the matter and respondents were not represented when the order was

passed. Hence, for the reasons stated in the application, delay in filing the application is condoned. Subject to applicant removing all office objections within a period of four weeks from today, the application is allowed in terms of prayer clauses “B” and “C”, which read thus :

“B) Delay of 89 days caused in filing present application seeking setting aside of the order of learned Registrar dt. 5/8/2021 be condoned in the interest of justice on whatever terms found fit by this court.

C) The order dt. 5/8/2021 passed by learned Registrar, High Court, Bench Aurangabad refusing registration of A. O. St. No.11676/2020 be set aside and same be ordered to be restored to its original stage.”

3. If office objections are not removed within a period of four weeks from today, the application shall stand dismissed without reference to the Court.

[GAURI GODSE, J.]