

SGP

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 16849 OF 2022
IN
SECOND APPEAL [ST] NO. 23868 OF 2021

Akhil Ahmed s/o Jamil Ahmed Kazi ... Applicant

Versus

Nihal Ahmed s/o Jamal Ahmed Kazi ... Respondent

...

Mr. M. N. Shaikh h/f Mr. S. S. Kazi – Advocate for Applicant

Mr. Farukh Patel – Advocate for respondent sole

....

CORAM : GAURI GODSE, J.

DATE : 11th January, 2023

PER COURT :

1. This application is filed for setting aside order dated 06th April, 2022 passed by learned Registrar (Judicial). There was conditional time granted to remove office objections. Objections were not removed within time, hence the applications for condonation of delay, application for stay and the second appeal stood dismissed.
2. Learned counsel for the applicant seeks leave to amend the prayer clause of the present application.
3. Amendment to be carried out forthwith.

4. There is a delay in filing the present civil application.
5. For the reasons stated in the application, same is allowed in terms of prayer clause 'b' and 'c', which read thus :

“b” - The Order passed by Registrar dated 06.04.2022 refusing the Registration of Second Appeal Stamp No. 23868/2021 and C.A. St. No. 23871/2021 and C.A. St. No. 23873/2021 be set aside and the same be restored to it's original position.

“c” - Delay of 225 days or so in filing Application for restoration be condoned.

6. Applicant is granted four weeks time to remove the office objections, failing which the application for condonation of delay in filing second appeal, application for stay as well as second appeal will stand dismissed without further reference to the court.
7. After the office objections are removed, office to place the application for condonation of delay for orders.

[GAURI GODSE, J.]