

Harish

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 1676 OF 2019
IN
REJECTED CASE NO.1882 OF 2019**

Changunabai Vithhal Burange & Anr. ...Applicants

Versus

Pandurang Tamma Burange & Ors. ...Respondents

Mr. Kamal Abdul Patel, for the Applicants.

CORAM : MADHAV J. JAMDAR, J.

DATE : 19th April, 2023

P.C.:

1. Heard Mr. Patel, learned counsel appearing for the Applicants.
2. In the Interim Application, prayer is to restore the Second Appeal.
3. By order dated 5th July, 2019 passed by learned Registrar (Judicial-II) four weeks time was granted to remove office objection failing which registration of Second Appeal along with all Civil Applications was directed to be refused.
4. Mr. Patel states that, when the said order was passed by Registrar (Judicial-II), the Second Appeal was at the stage of admission. Thus, Second Appeal is not yet admitted. He states

that, none appears for the Respondents and notice was not issued to the Respondents.

5. For the reasons set out in the Interim Application, the same is allowed. Order dated 5th July 2019 passed by the learned Registrar (Judicial-II) in Second Appeal (ST) No. 3655 of 2019 is quashed and set aside. The Applicants are granted 12 weeks time to remove the office objection.

6. The Interim Application is disposed of in above terms with no order as to costs.

(MADHAV J. JAMDAR, J.)