

Dusane

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

**INTERIM APPLICATION NO.20223 OF 2022
IN
(REJECTED CASE NO.2343 OF 2019)
IN
SECOND APPEAL (St.) NO.32471 OF 2018**

Ramakant Krushna Patil ...Applicant

V/s.

Nana Krishna Patil & Ors. ...Respondents

Mr. S.T. Bhosale for Applicant.

Mr. Rahul M. More for Respondent No.1.

CORAM: MADHAV J. JAMDAR, J.

DATE: 15th FEBRUARY 2023

P.C.:

1. Heard Mr. Bhosale, learned Counsel appearing for the Applicant and Mr. More, learned Counsel appearing for the Respondents.

2. By the Interim Application, conditional order dated 7th March 2019 passed by learned Registrar (Judicial-II). By said order, four weeks' time was granted to remove office objections, failing which registration of Second Appeal alongwith all Civil Applications was directed to be refused.

3. By further order dated 10th April 2019 time of two weeks' was granted to remove office objections. However, it appears that even within extended time, office objections were not removed and therefore Second Appeal was dismissed for non removal of office objections.

4. Mr. More, learned Counsel appearing for Respondent No.1 strongly opposes the application. However, sufficient reasons are set out in the Interim Application and therefore the same is allowed in terms of prayer clauses (a) and (b).

5. It appears that the papers of Second Appeal are destroyed as per Rule 3-A Sub Rule (i) under Chapter XV of The Bombay High Court Appellate Side Rules, 1960. Therefore, leave is granted to the Applicant to reconstruct the papers of Second Appeal.

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

7. The Second Appeal be listed for "admission" on **27th February, 2023.**

(MADHAV J. JAMDAR, J.)