

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**915 CIVIL APPLICATION NO. 10415 OF 2024
IN SAST/26903/2023**

**DEEPAK S/O BHALCHANDRA KODRE
VERSUS
MINABAI W/O PRADIP NAHLAVE(NALAVE)**

...
Mr. S.P. Tiwari, Advocate holding for Mr. N.R. Thorat,
Advocate for the applicant.
...

CORAM : SANDIPKUMAR C. MORE, J.

DATED : 27 SEPTEMBER 2024

ORDER:-

1. Heard learned Counsel for the applicant.
2. The applicant is seeking recalling of order dated 01.11.2023 and 20.03.2024 and for restoration of second appeal to its original position for removal of office objections. There is also delay of 66 days in filing this application.
3. The record shows that vide order dated 01.11.2023 passed by the learned Registrar (Judicial) of this Court had directed the applicant to remove all the office objections within two weeks. The applicant could not remove the office objections within two weeks and therefore, the registration was refused. Thereafter the applicant again filed one CA No. 3066 of 2024 for seeking recalling of order dated 01.11.2023 and this Court vide order dated 20.03.2024 granted him permission to remove the office objections on or before 18.04.2024 without imposing any cost. However, as per that order also the applicant could not remove the office objections within the

stipulated period and therefore, the registration of second appeal is again refused. This is the highest negligent approach of applicant. The learned counsel for the applicant submits that the applicant had to move an application before the lower Court for correction of name of some of the parties. However, this cannot be considered as sufficient cause because the applicant was already knowing about the office objections well prior to that. Therefore, under such circumstances and considering the right to sue, the application stands allowed in terms of prayer clauses (B) and (C) subject to deposit of cost of Rs.5,000/- to be paid to the Library, Advocates Association of High Court, Bombay, Bench at Aurangabad.

4. Application is disposed of accordingly.

(SANDIPKUMAR C. MORE, J.)