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

**CIVIL APPLICATION NO. 11800 OF 2023 IN
CIVIL APPLICATION ST. NO. 7004 OF 2020 IN
SECOND APPEAL NO. 357 OF 1994**

Mohameed s/o Mohinuddin Shaikh
through L.Rs. & others

Applicants

Versus

Fakir Hassen Shaikh through LR
and others

Respondents

Mr. V. R. Dhorde, advocate for the Applicants
Mr. Rahil R. Kazi, advocate holding for Mr. P. R.
Katneshwarkar, advocate for Respondents No.1A & 1B.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 12th January, 2024

PC :

Heard rival submissions.

By this application, the applicants-original appellants are seeking permission to restore CA St. No. 7004 of 2020, filed for bringing LR of deceased appellant no.1C by setting aside order dated 25.08.2021, passed by the learned Registrar (J).

It appears that the registration of the aforesaid

application was refused for want of removal of office objections. The learned Counsel for the appellants-applicants is ready to remove all the office objections within two weeks.

In view of the same, delay of 724 days caused in filing this application for restoration of earlier application, stands condoned and the order dated 25.08.2021 is hereby set aside. Civil Application St. No.7004 of 2020 be restored to its original stage for removal of all the office objections within two weeks.

Civil Application is accordingly disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

adb

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

**CIVIL APPLICATION NO. 11798 OF 2023 IN
SECOND APPEAL NO. 357 OF 1994**

Mohameed s/o Mohinuddin Shaikh
through L.Rs. & others

Applicants

Versus

Fakir Hassen Shaikh through LR
and others

Respondents

Mr. V. R. Dhorde, advocate for the Applicants
Mr. Rahil R. Kazi, advocate holding for Mr. P. R.
Katneshwarkar, advocate for Respondents No.1A & 1B.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 12th January, 2024

PC :

The learned Counsel Mr. Kazi, holding for Mr. Katneshwarkar, advocate for Respondents No.1A & 1B, seeks time to file reply for mentioning the correct amount, which is supposed to be deposited by the appellants.

Time granted. Stand over to 02.02.2024.

Interim relief, if any, to continue till then.

**(SANDIPKUMAR C. MORE)
JUDGE**

adb