

MJ Jadhav

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 10186 OF 2022
IN
REJECTED CASE NO. 2371 OF 2019**

Vishnu Somaji Bane and ors. ... Appellants
vs.
Shashikant Dharmaji Birje (Decd. Thr.
LRS) Shubhada S. Birje and ors. ... Respondents

Mr. Mohan Devkule for the Appellant.

CORAM : GAURI GODSE, J.

DATED : 11th JULY 2024

ORDER:

1. This application is for restoration of the second appeal, which stands dismissed for non removal of office objections as per the conditional order dated 5th July 2019.
2. There is delay in filing the application.
3. Learned counsel for the applicant submits when the conditional order was passed, the respondents were not represented in the matter. He further submits that all the office objections shall be removed within two weeks from today.

4. For the reasons stated in the application, delay is condoned and the application is allowed in terms of prayer clauses (a) and (b) subject to the learned Advocate for the appellant removing all the office objections within three weeks from today.

5. It is clarified that if objections are not removed within the aforesaid time, this application shall stand dismissed without further reference to the Court. If office objections are removed, office to register the second appeal and list the same under the caption “for urgent admission” on 26th July 2024.

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signed by
MANGALTAI
JAYWANT
JADHAV
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(GAURI GODSE, J.)