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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 1592 OF 2019
IN
SECOND APPEAL (ST) NO. 35013 OF 2017**

Anna Daulu Mohite and Others ... Applicants

Vs.

Anandrao Balasaheb Kate and Others ... Respondents

Mr. Rahul S. Kate for the Applicants.

CORAM : GAURI GODSE, J.

DATE : 23rd SEPTEMBER 2024

ORDER :

1. This application is for restoration of the Second Appeal and recalling the conditional order granting time to remove office objections. There is delay in filing the appeal.

2. Learned counsel for the applicants submits that the reasons for non removal of office objections within time is explained in paragraph 3 of the application. He submits that inadvertently objections were not removed within time. Learned counsel for the applicants submits that as soon as the learned Advocate learnt about the dismissal of the Second Appeal he has taken immediate steps to file this application.

3. Learned counsel for the applicant submits that all the office objections shall be removed within four weeks from today. Learned counsel for the applicants further submits that when the conditional order was passed respondents were not represented.
4. For the reasons stated in the application, delay is condoned and the application is allowed in terms of prayer clause (a), (b) and (c), subject to the learned Advocate for the applicants removing all office objections within six weeks from today
5. It is clarified that if objections are not removed within time, application will stand dismissed without further reference to the court.
6. If objections are removed office is directed to register the Second Appeal and list it for "Admission" on 13th December 2024.

[GAURI GODSE, J.]