

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION (ST.) NO.3381 OF 2023
IN
CIVIL REVISION APPLICATION (ST.) NO.26403 OF 2019

Shamsundar Dagaji Sonawane	.. Applicant
IN THE MATTER BETWEEN:	
Shamsundar Dagaji Sonawane	.. Petitioner
Versus	
Yogesh Shamsunder Sonawane and Anr.	.. Respondents
.....	
• Mr. Nikhil M. Pujari, Advocate for Applicant.	
.....	

CORAM : MILIND N. JADHAV, J.

DATE : MARCH 18, 2024

P.C.:

- 1.** Mentioned. Not on Board. Taken on Board.
- 2.** Heard Mr. Pujari, learned Advocate for Applicant / Petitioner.
- 3.** Perused the praecipe dated 18.03.2024 and the Interim Application.
- 4.** This Application is filed for setting aside of the order dated 29.01.2020 passed by the Registrar (Judicial-II) which is a self contained, self operating order which granted time to the Plaintiff to remove the office objections failing which the registration of the suit plaint would stand refused without reference to the Court.
- 5.** Mr. Pujari would submit that office objections were not

removed resultantly leading to dismissal of the suit by virtue of order dated 29.01.2020. The reasons given in paragraph No.2 are two fold namely the said period was in between COVID-19 Pandemic period as also Applicant's Advocate did not take any steps. Applicant has admitted that no steps could be taken by him also because of the aforesaid reasons. Needless to state that during the said period, limitation also stood arrested by virtue of order passed by the Supreme Court's in *Suo Motu* Writ Petition No.3 of 2020.

6. Be that as it may, I am inclined to believe these reasons and Applicant cannot stand non-suited and penalised due to the said reasons. In that view of the matter, the order dated 29.01.2020 stands quashed and set aside. Civil Revision Application (Stamp) No.26403 of 2019 stands revived and restored to the record and file of the Court.

7. Applicant is permitted to remove the office objections within a period of three weeks from today. Registry shall enable the Applicant to remove office objections in accordance with law.

8. List the Civil Revision Application (Stamp) No.26403 of 2019 on **01st April, 2024**.

9. With the above directions, Interim Application is disposed.

H. H. SAWANT

[MILIND N. JADHAV, J.]

HARSHADA
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