



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION  
CIVIL APPLICATION NO.1602 OF 2019  
IN  
REJECTED CASE NO.1269 OF 2017

Smt. Subhadrabai W/O. Agatrao Mote And Ors. ...Applicants

*Versus*

Shri. Baliram Eknath Mote  
(Since Deceased Thr. Lrs.) And Ors. ...Respondents

Mr. Dnyaneshwar W. Bhosale, for the Applicants.

CORAM: MADHAV J. JAMDAR, J.  
DATED : 7<sup>th</sup> JULY 2025

PC:-

1. Heard Mr. Bhosale, learned counsel for the Applicant.
2. The relief sought in the Civil Application is setting aside the conditional order dated 20<sup>th</sup> March 2017, passed by the Registrar (Judicial-II) and restoring the Second Appeal to the file of this Court.
3. By order dated 20<sup>th</sup> March, 2017, conditional order was passed by the learned Registrar (Judicial-II) by which four weeks time was granted to remove the office objection namely 'vakalatnama not filed for Appellant No.1.'

4. Mr. Bhosale, learned counsel for the Appellants states that inadvertently, the vakalatnama was not filed and it was not noticed that the Registrar has passed the conditional order. It is stated that the Second Appeal was dismissed at the stage of pre-admission and no notice has been issued by the Court to the Respondents.

5. For the reasons set out in the Civil Application, the same is allowed in terms of prayer clause (b) and (c). Second Appeal is restored to the file of this Court. Objections if any, be removed within a period of four weeks from today.

6. It is clarified that if the objections, if any, are not removed within a prescribed period, the Second Appeal shall stand dismissed for non prosecution, without further reference to this Court.

7. Civil Application is disposed of in the above terms with no order as to costs.

8. Place the Second Appeal on **11<sup>th</sup> August 2025** under the caption “for admission.”

**[MADHAV J. JAMDAR, J.]**