

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 1085 OF 2025
IN
INTERIM APPLICATION NO. 11100 OF 2024
IN
WRIT PETITION (STAMP) NO. 17355 OF 2023

Shri Dhullappa Babanna Madkari
Since Deceased Through Lrs. & Ors.

...Applicants/Petitioners

Versus

Shri Dundappa Rama Madkari
Since Deceased Through Lrs & Ors.

...Respondents

- Mr. Aditya Raktade, for Applicants/Petitioners.

CORAM : MANISH PITALE, J.

DATE : 26th JUNE 2025.

P. C. :

1. The petitioners have been constrained to file the present application for restoration of the petition, which as a matter of fact, was restored by an order dated 28th August 2024, by recalling of an earlier order passed by the Registrar (Judicial) dismissing the petition for non-removal of office objections. By the said order, time of two weeks was granted for removing office objections.

2. It is pointed out that although the earlier interim application for restoration was allowed in the aforesaid manner, in the order dated 28th August 2024, there was a typographical error in as much as Writ Petition

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(Stamp) No.17355 of 2023, was wrongly recorded as Writ Petition (Stamp) No.17355 of 2024. As a consequence, the order did not result in the papers being traced and the direction for removal of office objections within two weeks.

3. In the peculiar circumstances pointed out on behalf of the applicants/petitioners, this Court is inclined to allow the present application.

4. In view of the above, the delay in filing the application is condoned. The order dated 17th April 2024, passed by the Registrar (Judicial-I) dismissing the petition for non-removal of office objections is recalled. The petition is restored to file, subject to office objections being removed within a period of two weeks from today.

5. The interim application is disposed of.

(MANISH PITALE, J.)