

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 732 OF 2025
IN
FIRST APPEAL (St.) NO. 19740 OF 2019.

Smt. Pushpalatha Sadanand Mahulkar
(since deceased, through LRs)
and Others.

...Applicants/Appellants.

Versus

Mr. Tukaram Joma Koli
(since deceased, through LRs)
and Others.

...Respondents.

Mr. Rohit D. Joshi for Applicant.

Coram : Sharmila U. Deshmukh, J.

Date : January 20, 2025.

P. C. :

1. Interim Application has been preferred seeking recall of order dated 12th June, 2024 passed by Registrar (Judicial-II) dismissing the Application for non-removal of office objections within a prescribed time.
2. Learned counsel appearing for Applicant submits that two objections were raised by the Office, first being the appeal not properly stamped and second, the Trial Court details were not filed as per the averment. He submits that by way of praecipe and attending the department, learned counsel for Appellant had pointed out that in

the First Appeal, the Appellants have paid maximum court fee of Rs.3,00,000/- as paid in the Trial Court and there is necessary averment to that effect and also all details as per objection no.2 is also placed on record. He submits that despite thereof, the conditional order came into operation and appeal stood dismissed.

3. For the reasons stated the order dated 12th June, 2024 is recalled. The department to verify the removal of office objection as contended by learned counsel for Appellant within a period of two weeks.

4. First Appeal is restored to file.

[Sharmila U. Deshmukh, J.]