

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 6739 OF 2025.

IN

FIRST APPEAL (ST) NO. 5647 OF 2024.

Maliet w/o Rolphie Mathias

...Applicant.

Versus

Rolphie Mathias

...Respondent.

Mr. Rohit D. Joshi for the Applicant.

Mr. Amit Dubey and A. M. Sarogi for the Respondent.

Coram : Sharmila U. Deshmukh, J.

Date : April 1, 2025.

P. C. :

1. Interim Application has been preferred seeking recall of the order dated 28th January, 2025 passed by the Registrar (Judicial-II) rejecting the registration of the First Appeal along with Interim Application for failure to remove the office objection.

2. Learned Counsel appearing for the Applicant submits that the objection raised was regards deficit Court fees which were paid as per the valuation of the Plaintiff in the City Civil Court. He submits that the office objection was removed and the Applicant was under impression that in view of the explanation given, the objection stands removed however the order of 28th January, 2025 came into effect for the reason that the office objections are not removed to the

satisfaction of the Registrar. He seeks recall of the said order.

3. Learned Counsel for the Respondent would oppose the Application. However considering that the First Appeal has been rejected for non removal of office objection which according to the learned Counsel appearing for the Applicant has been satisfactorily explained, there is cause for recall of the order dated 28th January, 2025 and the same stands recalled.

4. Let the Applicant satisfy the department as regards the objection in respect of the deficit of Court fees within a period of two weeks from today. The First Appeal along with Interim Application stands restored.

[Sharmila U. Deshmukh, J.]