

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO.10958 OF 2025
IN
SECOND APPEAL NO.339 OF 2007

Ratnakar Shankar Pathak ...Applicant

Versus

Digambar Shankar Pathak
since deceased through legal heirs
Usha Digambar Pathak & Ors. ...Respondents

Mr. Rahul S. Kadam, for the Applicant.

CORAM: MADHAV J. JAMDAR, J.
DATED : 26th AUGUST 2025

P. C.:

1. This Interim Application is taken out to set aside the order dated 28th January 2025 passed by the learned Registrar (Judicial-II). By the said order, the Second Appeal is dismissed for non-removal of the office objections.

2. The Second Appeal is already admitted and pending for final hearing and the same was dismissed for non-removal of the office objections.

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3. For the reasons set out in the Interim Application, the same is allowed in terms of prayer clause [A].
4. Resultantly, the conditional order dated 28th January 2025 passed by the learned Registrar (Judicial-II) dismissing the Second Appeal for non-removal of the office objections is quashed and set aside. The Second Appeal is restored to the file of this Court.
5. The Appellant is granted 16 weeks time to remove the office objections.
6. Accordingly, the Interim Application is disposed of in above terms with no order as to costs.

[MADHAV J. JAMDAR, J.]