

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

38 CIVIL APPLICATION (STAMP) NO.24588 OF 2015
IN FA/4464/2017

WITH

39 CIVIL APPLICATION (STAMP) NO.3363 OF 2017
IN FA/542/2003

WITH

40 CIVIL APPLICATION (STAMP) NO.25863 OF 2018
IN FA/1877/2017

WITH

45 CONT. PETITION (STAMP) NO.1050 OF 2019
IN FA/299/2006

WITH

48 REVIEW APPLICATION (CIVIL) (STAMP) NO.1513 OF 2019
IN FA/15/2007 WITH CAST/1514/2019 IN RAST/1513/2019

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CORAM: H.M.BHOSALE
REGISTRAR (JUDL)

DATED: 27/08/2019

1. None present. It is evident from the record that two weeks time was granted to the applicants/petitioner to remove office objections, but all in vain. It indicates that they are not interested to proceed with the Applications/Petition by removing office objections. Thus, I do not find any propriety to keep these matters pending unnecessarily.

2. Chapter V Rule 3 (i) and (iii) of the Bombay High Court Appellate Side Rules states that after notification of memorandum of objections, the Advocates or the parties concerned shall remove all the

objections within 14 days.

3. Further, Chapter V Rule 5 states that, if objections are not removed within the prescribed time as provided under sub-rule 3, the Registrar shall refuse registration of all such matters. The further sub rule states that if regular application with the necessary Court fee is moved and advocate removed all objections within a period of 14 days next after the expiry of the period prescribed under Rule 3, the Registrar may excuse the delay and order that the matter be registered.

4. In the Applications/Petition in hand, the learned Advocates have failed to remove the office objections within 14 days as contemplated under sub-rule 3. Thereafter, these matters were placed on the Board of Registrar (Judicial). Thereafter, again, in the interest of justice, two weeks time was granted to enable the Advocate or party to remove the office objections. However, despite granting in all four weeks time, no effective step has been taken to remove the office objections.

5. In these circumstances, it would be proper to refuse the registration. However, as parties have approached the Hon'ble High Court, it would be just and proper to grant some time in the interest of justice, subject to condition. In turn, I pass the following order.

ORDER

One week time is granted on condition that if office objections are not removed, the registration would stand refused automatically without further reference to the Court of Registrar.

REGISTRAR (JUDL)