

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**BENCH AT AURANGABAD**

**C.A. NO. 879/2015 IN F.A. NO. 541/2003**  
**AND**  
**C.A. NO. 880/2015 IN F.A. NO. 541/2003**  
**(Nandkishor Dwarkadas Soni Vs. The State of**  
**Maharashtra)**

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Mr. Vishnu B. Madan, Advocate for the applicant  
Mr. S.P. Daund, A.G.P. for the respondent-State  
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**CORAM : M.T. JOSHI, J.**  
**DATE : 22/01/2015**

**ORAL ORDER :**

1. Heard learned counsel for the applicant.
2. Issue notice to the respondent, in both the applications, returnable on 5<sup>th</sup> February, 2015. Learned A.G.P. waives service of notice for the respondent/State.
3. For the reasons stated in the application for condonation of delay, the same is allowed. The delay is condoned.
4. Considering the fact that when the first appeal was placed before the Additional Registrar on 15<sup>th</sup> July, 2003, bhatta and printing charges were not deposited and

ultimately in 2009, the order of dismissal of the appeal was passed, in the appeal in case any enhancement in the compensation is granted, the applicant/appellant would not be entitled for any statutory interest for the period from the date of direction to pay bhatta and printing charges till this date.

. With these directions, the Registrar's order dated 03.03.2009 is set aside and the first appeal be restored to its position. Civil Application No. 880/2015 accordingly stands disposed of.

5. The appeal stands admitted on its restoration. Print of the paper-book is dispensed with. Learned A.G.P. waives service of notice for the respondent/State after admission of the appeal.

6. Place the first appeal for final hearing on 5<sup>th</sup> February, 2015.

7. This order be kept in the papers of the first appeal.

**[M.T. JOSHI]**  
**JUDGE**