

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.252 OF 2015
IN
CIVIL REVISION APPLICATION STAMP NO.4024 OF 2015
IN
FIRST APPEAL STAMP NO.8958 OF 2001
IN
L.A.R. NO.203 OF 1988**

**The State of Maharashtra : Applicant.
Versus
Udhav Namdeo Takbhate and ors. : Respondents.**

Mr. A R Patil AGP for the Applicant.

**CORAM : R. M. SAVANT, J.
DATE : 21st August 2015**

P.C.

1 The above Civil Application has been filed for condonation of delay in the filing the above Civil Revision Application. The delay is about 13 years and 291 days. The cause for filing the above Civil Revision Applications is the conditional order dated 05/03/2001 passed in the above First Appeal by the learned Additional Registrar. The said conditional order is to the following effect :-

“Time of Two weeks granted to pay deficit Court Fee. If deficit Court Fees is not paid within given period, the registration shall stand refused.”

It is on account of non-compliance of the said conditional order the same became operative and resultantly the registration of the First Appeal stood refused.

2 The order passed by the Learned Registrar Judicial (II) is referable to Rule 4 (vi) of Chapter V of High Court (Appellate Side) Rules against such an order there is a remedy of revision provided by Rule 6 of the same Chapter. The said Rule provides that against the order passed by the Learned Registrar refusing registration of any matter under the forgoing rule, the same shall be revisable upon a regular stamp application which shall be filed within 7 days from the date of the order. The above Civil Revision Application has accordingly been filed. In view of the delay in filing the same, that the above Civil Application is filed.

3 As indicated above, the delay in filing the Civil Revision Application against the order dated 05/03/2001 of the learned Additional Registrar is about 13 years and 291 days. In my view, considering the fact that there is no justifiable reason put forth for filing the above Civil Revision Application after 13 years and 291 days, the said huge delay cannot be condoned. The above Civil Application is accordingly rejected.

[R.M.SAVANT, J]