

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.4335 OF 2014
IN
FIRST APPEAL NO.2138 OF 2011**

Shamrao Mahadu Mane D/H
Shri Shashikant Shamrao Mane .. Applicant

Vs.

State of Maharashtra and Ors. .. Respondents

Mr.Akshay Petkar with Mr.Varad Deore for the applicant

Mr.Rajan Pawar, A.G.P. for the respondent nos.1 and 2

Mr.R.S.Kulkarni for the appellant

**CORAM : K.K.TATED, J.
DATED : 7TH JANUARY, 2015**

PC:

1 Heard the learned counsel for the parties.

2 This application is preferred by original claimant for restoration of First Appeal No.2138 of 2011 which was dismissed in view of conditional order dated 6th May, 2011 for non filing of private paper book within stipulated time.

3 The learned counsel for the applicant submits that the applicant undertakes to file private paper book within six weeks from today.

4 Undertaking given by the applicant is accepted.

5 Considering the submissions made by the learned counsel for the Applicant and the averments made in the Application, I am satisfied that the Applicant has made out a case for allowing the present Civil Application. Hence, following order:

- a) First Appeal No.2138 of 2011 is restored on file.
- b) Time is extended to file private paper book by six weeks from today, failing which Civil Application shall stand dismissed without referring back to the court.
- c) Civil Application is disposed of accordingly.

(K.K.TATED, J.)