

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 287 OF 2008
a/w.
CIVIL APPLICATION NO. 2427 OF 2015
IN
FIRST APPEAL NO. 287 OF 2008

Dattatray Vasudeo Bapat ... Appellant/Applicant
Vs.
Maharashtra State Electricity Distribution
Co. Ltd. & Ors. ... Respondents

Mr. A.M. Kulkarni, Advocate for the appellant/applicant.
Mr. Nirav Shah i/b. Little & Co., Advocate for respondent no. 1.
Mr. Vaibhav R. Gaikwad, Advocate for respondent no. 6.

CORAM: **MRS.MRIDULA BHATKAR, J.**
DATE: **9th December, 2015**

P.C.:

Not on board. Upon mentioning, taken on board.

2. This application is moved by the applicant for restoration of the Appeal by recalling the order dated 15th February, 2008, as the Appeal was dismissed for non-compliance of the said order of filing the paper book within one year. There is also a delay in filing the restoration application. It is further submitted that the value of this Appeal is not exceeding one crore.

3. The Appeal is admitted on 15th February, 2008. Hence, the delay in filing the restoration application is condoned.

4. In view of the order dated 6th February, 2012 passed by the First Court of the High Court in **Writ Petition (L) No. 228 of 2012 in Vikas Baburao Sonawane vs. State of Maharashtra**, this restoration Application is treated as application for review and the order dated 15th February, 2008 is hereby recalled and the Appeal is restored to its original file.

5. As the value of the Appeal is not exceeding one crore, hence, the Appeal along with the Civil Application, if any, are transferred to District Court, Sangli in view of the recent notification issued by the Law and Judiciary Department, Government of Maharashtra under Maharashtra Civil Courts (Amendment) Act, 2015 bearing No.CCS.2014/C.R.25/D19 dated 31.8.2015. Registrar (Judicial) to take note of the same and do the needful by 23.12.2015. Parties to appear before the concerned District Judge to whom the Appeal is assigned on 12th January, 2016 at 11 a.m. Interim order, if any, to continue till then.

6. The Appeal and the application, if any, are disposed of as transferred.

7. All concerned to act on an authenticated copy of this order.

(MRIDULA BHATKAR, J.)