

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.6130/2016
IN
FIRST APPEAL NO. 2083/2014

THE GODAVARI MARATHWADA IRRIGATION DEVELOPMENT
CORPORATION THROUGH THE EXECUTIVE ENGINEER
VS
THE STATE OF MAHARASHTRA AND ORS.

...

Mrs. Rekha K.Laddha, Adv. For Appellant;
Mr.PG Borade, AGP for State.
Mr.PB Vikhe-Patil, Adv. For Respondent/Claimant.

CORAM : P.R.BORA, J.

DATE : 2nd May, 2016.

PER COURT :

1) Heard. By filing the present application, the appellant/applicant is praying for setting aside the order passed by the learned Registrar on 17th February, 2015, whereby the learned Registrar has dismissed the First Appeal No. 2083/2014 for want of compliance. The order dated 17th February, 2015 passed by the Registrar reveals that the appellant was supposed to deposit the printing charges within stipulated period. Since the appellant failed to deposit the printing charges within the stipulated period, the learned Registrar has dismissed the First Appeal No.2083/2014 in default.

2) Learned Counsel appearing for the appellant submitted that the appellant will deposit the printing charges before 6th May, 2016.

3) Mr.Vikhe-Patil, learned Counsel for respondent/claimant has no objection for setting aside the order passed by the learned Registrar on 17.2.2015.

4) In view of the above, the order dated 17th February, 2015 passed by the learned Registrar is quashed and set aside subject to condition that the appellant will deposit the printing charges on or before 6th May, 2016.

5) The First Appeal No.2083/2014 stands restored to its original file. Civil Application stands disposed of.

(P . R . BORA)
JUDGE

bdv/