

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 12051 OF 2012
IN FA/35/1994

UTTAMRAO BAPURAO DESHMUKH.
VERSUS
THE STATE OF MAHARASHTRA THRO.COLLECTOR.

...
Advocate for Applicant : Mr. A S Golegaonkar.
AGP for Respondents 1 and 2: Mr. K.N. Lokhande
Advocate for respondent No.3: Mr. B.S. Chondhekar h/f Mr. A.D. Wange
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CORAM : V. K. JADHAV, J.
DATED : 29th APRIL, 2016

PER COURT:-

1. This Court by order dated 21.8.2012 dismissed the appeal with observations that even on earlier occasions thrice the first appeal came to be dismissed and by virtue of the orders passed by the Court appeal came to be restored. Even on 21.8.2012 none present for the appellant and therefore, this Court again dismissed the appeal for want of prosecution.
2. Learned counsel for the applicants original appellants submits that the henceforth the appellant would pursue his appeal and the matter may be restored to its original position.
3. Learned A.G.P. for respondent Nos. 1 and 2 submits that no reasons are given in the application for setting aside the dismissal

order.

4. Learned counsel for respondent No.3 M.S.R.T.C. submits that the application is devoid of any merits and the same may be rejected.

5. Considering the above submissions, as a last chance, this application is allowed in terms of prayer clause "B" and disposed of.

(V. K. JADHAV, J.)

rlj/