

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL REVISION APPLICATION (ST) NO.686 OF 2016

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr.A.R.Patil, A.G.P for the applicant

CORAM : K. K. TATED, J.
DATE : JUNE 15, 2016

P.C.:

1 Not on board. At the request of learned A.G.P.for the applicant, matter is taken on board for admission.

2 This Revision Application is preferred by State of Maharashtra for setting aside conditional order dated 5.1.2010 passed by Registrar (Judicial-I) by which the First Appeal stood dismissed on stamp number itself for non-payment of deficit court fees. Said order was passed without issuing notice to other side. Therefore it is not necessary to issue notice to the respondent.

3 The learned A.G.P for the applicant submits that as soon as they received proposal for filing First Appeal they informed the concerned Officer to

provide requisite amount for payment of Court Fees. He submits that there was delay on the part of concerned officer to deposit the amount in the office of the Government Pleader. He submits that now they have received requisite amount for payment of Court Fees and they undertake to pay the same within four weeks from today.

4 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 Revision Application. Hence, following order is passed:

A) Civil Revision Application is allowed in terms of prayer clause (b) which reads thus:

“(b) that this Hon'ble Court be pleased to set aside the conditional order dated 05.01.2010 passed by the Learned Registrar (Judicial-I) and allow the applicant to deposit the deficit court fees in the abovementioned matter and restore the First Appeal (ST). No.1235 of 2009, to file of the Hon'ble Court.”

B) Applicant to deposit requisite amount of Court Fees within 4 weeks from today, failing

which Civil Revision Application shall stand dismissed without referring back to the court.

C) Civil Revision Application stands disposed off accordingly.

JUDGE