

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Amk

CIVIL APPLICATION NO. 3741 OF 2016
IN
FIRST APPEAL NO. 411 OF 2007

Hari Bama Bhagat & Ors. .. Applicants

In the matter between

Hari Bama Bhagat & Ors. .. Appellants

Vs.

The State of Maharashtra .. Respondent

Mr. S. G. Surana for the Applicants.

CORAM : DR. SHALINI PHANSALKAR-JOSHI, J.
DATE : 26th AUGUST, 2016.

P. C. :

1. This is an application seeking restoration of First Appeal No.411 of 2007 to its original file, as it came to be dismissed for default in furnishing the private paper book as directed by this Court on 20.02.2016. It is submitted that the appeal was already admitted and private paper book was to be submitted within one year.
2. On account of the reasons mentioned in paragraph 7 of the application, the paper book could not be submitted within the stipulated period. Now, the paper book is ready and within two weeks the applicants will be submitting the same in the Court.
3. The notice of this application was served on the respondent on 18.08.2016 itself, but none appears on behalf of the respondents.

4. Hence, for the reasons stated in paragraph 7 of the application and considering the fact that the appeal is already admitted in the year 2007 itself, the application is allowed and the time for furnishing private paper book is extended by two weeks.

5. S. O. to 14.09.2016.

[DR. SHALINI PHANSALKAR-JOSHI, J.]