

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 8160 OF 2016
IN RC/363/2016**

**JITENDRA PANDURANG PATHAK AND ANR.
VERSUS
THE STATE OF MAHARASHTRA AND ANR.**

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Mr.A.S.Deshpande, Advocate for petitioners

Mr.S.B.Joshi, AGP for respondent no.1

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**CORAM : T.V. NALAWADE AND
SANGITRAO S. PATIL, JJ.
DATE : FEBRUARY 06, 2017**

PER COURT :

Heard.

2. This application is filed for setting aside the order dated 15.03.2016 passed by the learned Registrar (Judicial) dismissing the First Appeal in default for non-payment of the requisite Court fees.

3. The learned Counsel for the applicants submits that the requisite Court fees would be

deposited within one week, if the First Appeal is restored.

4. Considering the submissions of the learned Counsel for the applicants, the order dated 15.03.2016 passed by the learned Registrar (Judicial) is set aside. The application stands allowed and disposed of.

5. The applicants shall deposit the requisite Court fees on or before 15.02.2017, failing which the appeal shall stand dismissed without further reference to the Court

[SANGITRAO S. PATIL, J.]

[T.V. NALAWADE, J.]