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

**CRIMINAL APPLICATION NO. 1952 OF 2017
IN REVN/221/2016**

**VENKATI S/O. LAXMAN MASKE
VERSUS
THE STATE OF MAHARASHTRA AND ANR**

**...
Advocate for Applicant : Murkute J.M.
APP for Respondents: Mr.S.N.Morampalle
...**

**CORAM : V.L.ACHLIYA,J.
DATE : 28/04/2017**

PER COURT :-

Learned counsel for the applicant seeks leave to annex the copy of the order dated 20/10/2016. Permission granted. Copy be annexed to application forthwith.

2] Applicant has taken out this application seeking recall of order dated 20/10/2016 passed in default to submit private paper book within twelve weeks.

3] In nutshell, it is contention of the learned counsel for applicant that the requisite documents to prepare the paper book could not be collected from the trial Court. Hence paper book could not be prepared by the applicant. In view of the order passed that failure to submit paper book within stipulated period Revision Petition be dismissed without further reference to the Court, the Revision Petition was dismissed.

4] Having regard to the submissions advanced, I am of the view that application deserves to be restored by recalling the impugned order and the delay caused in filing appeal also deserves to be condoned. Accordingly application is allowed in terms of prayer clauses "B", "C" and "D".

5] Revision Petition stands restored to its original number.

6] Applicant is directed to submit paper book within one week. List revision petition for final hearing on 21/6/2017.

(V.L.ACHLIYA,J.)

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