

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

**CIVIL APPLICATION NO. 14010 OF 2010
IN FAST/15555/2010**

RAMA PANDURANG TONDE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicants : Mr. D. R. Jayabhar.
AGP for Respondent No.1 : Mr. S. J. Salgare.

...
WITH CA/14085/2010 IN FAST/15597/2010
WITH CA/14086/2010 IN FAST/15564/2010
WITH CA/14087/2010 IN FAST/15559/2010

...

CORAM : K.K. SONAWANE, J.

DATED : 08TH DECEMBER, 2017.

Order :-

Heard learned counsel for applicants (original appellant/s) and learned AGP for respondent No.1 State of Maharashtra. None appears for respondent – Acquiring Body.

2. It has been submitted that the appellants inadvertently could not deposit the requisite court fees within stipulated period, therefore, registration of matters stand refused by learned Registrar of this Court. The learned counsel for applicants undertakes to deposit the deficit court fees within two weeks in case appeal came to be restored at it's original stage.

3. In view of submission on behalf of learned counsel for applicants, it would be justifiable to afford one more opportunity to the appellant/s (original claimant/s) for redressal before the Appellate Forum. Hence, applications stand allowed in terms of prayer clause 'B'. The impugned order for registration of First Appeal passed by learned Registrar dated 10-08-2010 is hereby quashed and set aside. The proceedings of the First Appeals be restored at its original stage, subject to condition that the applicants shall deposit requisite court

fees and to remove whatever office objection/s notified, if any, on behalf of Registrar of this Court within two (2) weeks from the restoration of proceedings of appeal on record, failure to which, the present order passed by this Court shall stand vacated automatically without further reference to this Court. Accordingly the civil applications stand disposed of in above terms.

[K. K. SONAWANE]
JUDGE

rrd.