

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

CIVIL APPLICATION NO. 10243 OF 2016 IN FA/1593/2014

THE EXECUTIVE ENGINEER, MEDIUM PROJECT, LATUR
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. A. P. Basarkar.
AGP for Respondent No.1 : Mr. S. S. Dande.

...
CORAM : K.K. SONAWANE, J.

DATED : 24TH NOVEMBER, 2017.

Order :-

Heard learned counsel for applicant- Acquiring Body, learned AGP for respondent No.1 State of Maharashtra. Perused the application. It reveals that applicant did not deposit the printing charges within stipulated period. Therefore, circumstances constrained the learned Registrar to dismiss the first appeal for want of prosecution. According to the applicant, requisite steps were not taken due to unavoidable circumstances. Now the applicant shown willingness to take the prompt steps for compliance of Order passed by the Registrar dated 25-11-2014.

2. In view of the nature of subject matter and the reasons mentioned in application, I find it justifiable to extend one more reasonable opportunity to the applicant to pursue the appeal for substantial justice. Hence, civil application stands allowed in terms of prayer clause 'C'. The order of dismissal passed by Registrar (Judicial) of this Court dated 25-11-2014 is hereby set-aside and quashed. The proceedings of First Appeal No. 1593 of 2014 be restored at it's original stage. The applicants to deposit the payment of printing charges as per Order of learned Registrar within a period of three weeks from restoration of appeal, failure to which, present order shall stand vacated automatically without further reference to this Court. The Registry to take note about the same and do the needful for further process. Accordingly, civil application stands disposed of in above terms.

**[K. K. SONAWANE]
JUDGE**