

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 505 OF 2002
IN
FIRST APPEAL (STAMP) NO. 13568 OF 2000

Dattatray Laxman Bhosale & Ors. .. Applicants/Appellants
vs.
The Land Acquisition Officer
No. (06) Pune & Ors. .. Respondents

Mr. A. Singh i/b. P. Potnis for Applicants / Appellants.
Mr. Yogesh Dabke – AGP for Respondents – State.

CORAM : M. S. SONAK, J.
DATE : 14 MARCH 2017

P.C :

1] Learned counsel for the applicants submits that the service has been completed on the respondents. He submits that there was some delay in payment of court fees and therefore by order dated 6 December 2001, the appeal itself was dismissed for non prosecution. The application for restoration was filed on 21 January 2002 but has remained pending on account of service on the respondents.

2] Taking into consideration that the civil application was filed within 30 days from the date of dismissal of the appeal for non prosecution and also upon consideration of the reasons stated in the civil application, the first appeal is restored.

3] The applicants / appellants undertake to pay deficit court fees within a period of two weeks from today. If this is not done, first appeal shall once again stand dismissed without any further reference to this court.

4] In case the deficit court fee is paid within a period of two weeks from today, place the appeal for admission on 11 April 2017.

5] The civil application is disposed of accordingly.

(M. S. SONAK, J.)

Chandka