

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.425 OF 2008
IN
FIRST APPEAL (ST) NO.30246 OF 1999
WITH
CIVIL APPLICATION NO.426 OF 2008
IN
FIRST APPEAL (ST) NO.30246 OF 1999**

The State of Maharashtra ..Applicant/Appellant
V/s.
Nagnath Kashinath Jadhav
(Since deceased) Through Legal Heirs
1) Shri.Ramchandra Nagnath Jadhav
& Others ..Respondents

Mr.Y.Y. Dabake, AGP for the Applicant/Appellant-State.

Mr.G. Potnis for Respondent Nos.4 and 5.

Mr.R.S. Kate for Respondent Nos.3a to 3c.

CORAM : M. S. SONAK, J.

DATE : 31 JANUARY 2017.

P.C.

1. Mr.Dabake the learned AGP submits that all respondents have been duly served. Delay in this case is 132 days sufficient cause has been shown in the Civil Application. Accordingly, the delay is condoned and the Civil Application is disposed of.

2. The First appeal is taken on board and the same is admitted.

3. The appellant to file private paper book within six months, failing which the appeal shall stand dismissed for non-prosecution. Such an order is made the appeal relates to the year 1998 but it is not possible to take up the appeal earlier as considerable time was required to taking steps to served the respondents. Therefore, no paper book is filed within six months from today. The appeal shall stand dismissed for non-prosecution.

4. Mr.Potnis waives notice after admission on behalf of respondent Nos.4 and 5. Mr.Kate waives notice for respondent Nos.3a to 3c.

(M. S. SONAK, J.)