

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

**CIVIL APPLICATION NO. 4033 OF 2016  
IN  
FIRST APPEAL (ST.) NO. 35634 OF 2015**

Mr. Satish T. Borade

... Applicant/Appellant.

V/s.

Indian Express Limited & 5 Ors.

... Respondents.

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Mr. D. S. Chandnani for the Applicant/Appellant.

Mr. Amol Joshi a/w. Sufiyan Shaikh i/by Poorvi Kamani for the  
Appellant in FA No. 816 of 2016.

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**CORAM : V. M. KANADE AND  
P.R. BORA, JJ.**

**DATE : 09<sup>th</sup> FEBRUARY, 2017**

**P.C. :**

1           Mentioned, not on board. Upon mentioning, taken  
on board.

2           Heard Mr. Chandnani, learned counsel appearing  
for the applicant. This civil application is filed by the applicant,  
seeking exemption from payment of court fees on the ground  
that the appeal being continuation of the suit and the appellant  
having paid the court fee in the trial court, he is not required to  
pay court fees in the appeal.

3                   It is not possible to accept the above submission made by the learned counsel for the applicant. There is neither any statutory provision which exempts the payment of court fees after an appeal is filed nor there is any judgment of the apex court or this court in support of the said proposition. Hence, we do not accept the submission made by the learned counsel for the applicant. Civil application is, therefore, dismissed.

( P.R. BORA, J)

(V.M.KANADE, J)

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