

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

16 CIVIL APPLICATION NO. 7499 OF 2011
IN FA/441/2010

MANSARAM VYANKAT PATIL
VERSUS
THE STATE OF MAHARASHTRA AND ANR

...
Advocate for Applicant : Mr. Milind K. Deshpande
AGP for Respondent No. 1 : Mr. A.M. Phule

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

DATED : 4th JUNE, 2018.

Order :-

1. Leave to correct.
2. Heard learned counsel for the applicant and learned AGP for respondent No. 1. None appears on behalf of respondent No. 2.
3. This application is presented for restoration of first appeal, which came to be dismissed in default for non compliance of condition of Bhatta. Learned counsel for applicant-appellant undertakes to deposit the Bhatta within two weeks, after restoration of the appeal.
4. Learned AGP for respondent No. 1 fairly conceded to pass suitable orders.
5. For the reasons mentioned in the application, the same is allowed in terms of prayer clauses "B & C". The impugned order is hereby quashed and set aside. First Appeal be restored to its original stage. After restoration of the appeal, the applicant-appellant shall comply with the objections raised by the Registry within two weeks. Registry to take requisite steps for further process.
6. Civil application stands disposed of accordingly.

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