

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

CIVIL APPLICATION NO. 8161 OF 2016
IN RC/362/2016

SHIVSHANKAR MADHAVRAO CHITKOTE DIED THR LRS SAROJABAI AND
OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANR

Mr.Amit S. Deshpande, Advocate for the applicant
Mr.A.S.Shinde, AGP for the respondent/State

**CORAM : PRASANNA B. VARALE &
S.M.GAVHANE, JJ.**

DATED : 15.06.2018

P.C. :-

. Heard Mr. Adgaonkar, learned counsel h/f
Mr.Deshpande, learned counsel appearing for the
applicant.

2. The present application is filed for quashing
the order passed by the learned Registrar dated
15.03.2016 thereby registration of the appeal was refused
for non-compliance of the office objection. Mr.
Adgaonkar, learned counsel submitted that only objection
is in respect of deficit court fees. He submitted that
only the income source of the applicant is agricultural
and due to continuous droughts situation the applicant
was not having sufficient funds. As such he was unable to

pay the court fees. Learned counsel submits that the applicant has raised substantial grounds in the appeal. The applicant who is agriculturist and was claimant before the Court below has been awarded of meager amount of compensation. Being dissatisfied with the meager amount of compensation appeal is before this Court for seeking enhancement in the compensation. The refusal on technical ground would put the applicant/appellant to a serious prejudice. Learned counsel appearing for the applicant/appellant undertakes to remove the office objection in respect of the deficit court fees within two weeks. Undertaking of the learned counsel is accepted. The application is allowed to restore and disposed of. The order of refusal of the registration is set aside. The applicant, if deposits the amount within two weeks, office to accept the same.

[S.M.GAVHANE, J.]

[PRASANNA B. VARALE, J.]