

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

**CIVIL APPLICATION NO. 4446 OF 2013
IN
FIRST APPEAL NO. 2793 OF 2007**

The State of Maharashtra
(Through the Special Land Acquisition
Officer No. 11, District- Pune) ...Applicant

Versus

Gangaram Sakharam Chakave
(since deceased through his legal heirs)
Smt. Kantabai Gangaram Chakave & Ors. ...Respondents

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Mr.Yogesh Dabke, AGP for the State/ Applicant.

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**CORAM: MRS.MRIDULA BHATKAR, J.
DATED : FEBRUARY 07 , 2018**

P.C. :

1. This Application is moved for restoration of First Appeal, which was dismissed pursuant to the order dated 12.12.2007 passed by this Court.

2. The learned AGP for applicant/State submitted that this

Appeal was admitted on 12.12.2007 and the State of Maharashtra was directed to file private paper book within a period of one year from the date of the order. He further submits that the applicant/State could not file private paper book within the stipulated time and hence, Appeal was dismissed for non-compliance of the order dated 12.12.2007. He further submits that there is delay in preferring the Civil Application for restoration of First Appeal and the said delay be condoned. Now, the applicant/State is ready to file private paper book within a period of two weeks from today, hence the First Appeal be restored.

3. In view of this submission, the applicant/State to file private paper book within a period of two weeks from today. On this condition, the order of dismissal of First Appeal is recalled. The First Appeal is restored to its original file. Delay is condoned. If the paper book is not filed within the stipulated time, the Appeal will be dismissed without referring to the Court.

4. Civil Application is allowed and is accordingly disposed of.

5. Registry to accept the private paper book, if filed by the applicant/State.

(MRIDULA BHATKAR, J.)