

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

**CIVIL APPLICATION NO. 1031 OF 2017
IN
FIRST APPEAL ST. NO. 14017 OF 2011**

The Special Land Acquisition Officer & Ors. Applicants
V/s.
Subhash Vithal Shinde & Ors. ... Respondents
.....
Mr. A.R. Patil, AGP for Applicant-State.
.....

**CORAM : K.K.TATED, J.
DATE : 30th September, 2019**

P.C. :

1. Heard learned AGP Mr. A.R. Patil for the applicant.
2. By this Civil Application, applicant is seeking restoration of Civil Application No. 2163 of 2011 (for condonation of delay) and First Appeal Stamp No. 14017 of 2011 which stands dismissed as per conditional order dated 14th June 2011 passed by this Court.
3. Learned AGP Mr. A.R. Patil submits that, it remained on their part to serve the respondents within time and filed affidavit of service. He submits that, respondents are duly served and they filed affidavit of service dated 21st April 2012. He submits that, in the interest of justice this Hon'ble Court be pleased to condone the delay in filing the Civil

Application and restore the Civil Application No. 2163 of 2011 with Civil Application 2210 of 2011 and First Appeal Stamp No. 14017 of 2011.

4. Considering the submission made by the learned AGP for the applicant and averment made in Civil Application, I satisfied that, the applicant has made out a case for allowing this Civil Application.

5. Hence, following order is passed :

: ORDER :

- a) Delay in filing the Civil Application is condoned.
- b) Affidavit of service filed by the applicant dated 21st April 2012 showing that, the respondents are duly served in Civil Application 2163 of 2011 with Civil Application No. 2210 of 2011 in First Appeal Stamp No. 14017 of 2011 is taken on record.
- c) Time to comply an order dated 14th June 2011 passed by this Court is extended till filing the affidavit of service.
- d) Civil Application stands disposed of accordingly.
- e) No order as to costs.

(K.K.TATED, J.)