

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

CIVIL REVISION APPLICATION (ST.) NO.20212 OF 2018

The State of Maharashtra

.. Applicant

V/s.

Kai.Kashinath Dhanaji @ Damaji Patil
(Deceased through his legal heirs)
Vasant Kashinath Patil and Ors.

.. Respondents

Mr.A.R.Patil, A.G.P. for the applicant

CORAM: K.K. TATED, J
DATED : JANUARY 4, 2019

P.C. :

1 Not on board. At the request of Advocate for the Applicant, matter is taken on board.

2 Heard.

3 By this Civil Revision Application Applicant is seeking to set aside the order dated 20.04.2017 passed by Registrar (Judicial-I) in First Appeal (ST) No.11974 of 2017 by which First Appeal stands dismissed for non-payment of deficit court fees.

4 The learned A.G.P. for the Applicant submits that it remained on the part of department to forward immediately deficit court fees. He submits that office of the Government

Pleader, High Court, Appellate Side, Bombay received deficit court fees by Demand Draft bearing no.778217 dated 29.06.2019. He submits that Applicant undertakes to pay deficit court fees in the Registry within 8 weeks from today.

5 Considering the submissions made by the learned A.G.P. for the Applicant and the averments made in the Civil Revision Application and as Applicant is ready and willing to pay deficit court fees within 8 weeks from today, I am satisfied that the Applicant has made out a case for allowing the present Civil Revision Application. Hence, following order:

- a) Order dated 20.04.2017 passed by Registrar (Judicial-I) in First Appeal (ST) No.11974 of 2017 is set aside.
- b) First Appeal (ST) No.11974 of 2017 is restored to file for hearing on its own merits.
- c) Applicant to pay deficit court fees in First Appeal (ST) No.11974 of 2017 on or before 16.03.2019, failing which the Civil Revision Application shall stand dismissed without further reference to the court.
- d) No order as to costs.

(K.K. TATED, J.)