

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CIVIL APPELLATE JURISDICTION**  
**CIVIL REVISION APPLICATION (STAMP) NO.23453 OF 2017**

The State of Maharashtra through the  
Special Land Acquisition .. Applicant

Versus

Shri Eknath Namdeo Mungaji (deceased) through  
LRs Smt.Mainabai Eknath Mungaji and Ors. .. Respondents

Mrs.Tanya Goswami, AGP for the State-Applicant.

**CORAM : K.K. TATED, J.**

**DATE : 10 JANUARY 2019.**

**P.C:-**

. Not on board. At the request of learned AGP matter is taken on board for urgent orders.

2. Learned AGP Mrs. Tanya Goswami appearing on behalf of applicant submits that by this Civil Revision Application, they are seeking to set aside conditional order dated 19.04.2017 passed by learned Registrar (Judicial-I) by which First Appeal (St.) No.11751 of 2017 stands dismissed for non payment of Court fees.

3. Learned AGP submits that now they have received Court fess from concerned Officer. She submits that considering

the amount involved in the present proceedings, this Hon'ble Court be please to condone the delay in payment of Court fees. She submits that applicant have good chance of success in First Appeal.

4. Considering the submissions made by learned AGP for the applicant, avernments made in Civil Revision Application and as the applicant is ready and willing to deposit the entire Court fees within 12 weeks from today in First Appeal (St.) No.11751 of 2017, I am satisfied that the applicant has made out case for allowing Civil Revision Application :

a) Civil Revision Application is allowed in terms of prayer clause (b) which reads thus :

“b) that this Hon'ble Court be pleased to set aside the conditional order dated 19.04.2017 passed by the learned Registrar (Judicial-I) and allow the applicant to deposit the deficit court fees in the abovementioned matter and restore the First Appeal (St.) No.11751 of 2017 to file of the Hon'ble Court.”

b) Applicant to deposit Court fees within 12 weeks from today, failing which Civil Revision Application stands

dismissed without reference to the Court.

c) Civil Revision Application Stands disposed of.

d) No order as to costs.

**(K.K.TATED, J.)**