

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL REVISION APPLICATION (ST) NO.23467/2017
IN
FIRST APPEAL (ST) NO.32303/2015

State of Maharashtra & Ors. ... Applicants

V/s.

Mangalsinha D. Rajput ... Respondent

Mr. A. R. Patil, AGP for the Applicants

CORAM: K.K. TATED, J.

DATED : JANUARY 14, 2019

P.C. :

1 Not on board. Taken on board.

2 Heard. The learned AGP submits that by this Revision Application they are seeking to set aside the conditional order dated 18.11.2015 passed by the learned Registrar by which the First Appeal stood dismissed for non payment of deficit court fees. He submits that for want of requisite funds from the concerned Department, there was delay on their part to deposit the court fees within time. He submits that now they have received the amount from the concerned department. He submits that the Applicant undertakes to pay court fees on or before 30.03.2019. He submits that they have good chance of success in the First Appeal. He submits that if the Civil Revision Application is not allowed, irreparable loss will be caused to

them.

3 Considering the submissions made by the learned AGP and the reasons disclosed in the Civil Revision Application, I am satisfied that the Applicant has made out a case for allowing the Civil Revision Application.

4 Hence, following order is passed

a. Conditional order dated 18.11.2015 passed by the learned Registrar (Judicial - I) is set aside.

b. The First Appeal is restored to file.

c. The Applicant is permitted to deposit the requisite court fees in the Registry on or before 30.03.2019, failing which the Civil Revision Application shall stand dismissed without further reference to the court.

d. Civil Revision Application stands disposed of accordingly.

e. No order as to costs.

(K. K. TATED, J.)