

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

947 CIVIL APPLICATION NO.429 OF 2020
IN RC/71/2019

LAXMAN YADAVRAO KADAM AND ANR
VERSUS
THE STATE OF MAHARASHTRA AND ORS

...
Advocate for Applicants : Mr. G.N. Chincholkar
AGP for Respondent Nos. 1 and 2: Mr. S. P. Deshmukh

...
CORAM : K.K. SONAWANE, J.

DATED : 15th JANUARY, 2020.

ORDER :-

1. Heard learned counsel for applicant and learned AGP for respondents No. 1 and 2.
2. Present application is filed by the applicants seeking permission to deposit requisite deficit Court fees for restoration of the proceedings of First Appeal Stamp No. 34246 of 2018, which came to be dismissed vide order dated 11-12-2018. This Court under order dated 18-12-2019 in CA 14699 of 2019 granted permission to the applicants to deposit deficit Court fees within a period of three weeks for restoration of the proceedings, which came to be dismissed by the Registrar (Judicial) for non compliance of procedural formalities.
3. In view of reasons mentioned in the application it would be justifiable to give one more opportunity to applicants for compliance of order passed by this Court for depositing deficit Court fees for restoration of the proceedings, which was already dismissed under order of the learned Registrar(Judicial) of this Court. Thus, present application deserves to be allowed.
4. Therefore, application stands allowed in terms of prayer clause "B". The applicants are hereby permitted to deposit the deficit court

fees within a period of two weeks. In case deficit Court fees is deposited within stipulated period, Registrar (Judicial) to act upon the earlier order passed on 18-12-2019 for restoration of proceeding which was dismissed vide order dated 11-12-2018.

5. Accordingly, Civil Application stands disposed of in above terms.

[K. K. SONAWANE]
JUDGE

MTK