

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

**930 CIVIL APPLICATION NO.1140 OF 2020
IN FAST/22437/2017**

SHALIGRAM SAMPAT BAVANE
VERSUS
THE COLLECTOR, AURANGABAD AND ORS

...
Advocate for Applicant : Mr.Vitthal B Wayal
AGP for Respondents No.1 & 2 : Mr.R.B.Bagul
Advocate for Respondent No.3 : Mrs.S.G.Chincholkar

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

DATE: 30th January, 2020

PER COURT:-

1. Heard learned counsel for the applicant and learned AGP for respondents No.1 and 2 as well as learned counsel appearing for respondent No.3-Acquiring Body.
2. It has been contended that the applicant did not take steps within stipulated period, which resulted into dismissal of the proceeding.
3. Learned counsel for the applicant submits that the learned AGP and learned counsel for respondent-Acquiring Body have already caused their appearance on behalf of respective respondents, therefore, there is no need to take steps against them. He requested to recall the order passed by this Court on

25.03.2019 and First Appeal (Stamp) No.22437 of 2017 accompanied with civil application filed therein may be restored at its original stage.

4. In view of above submission and nature of the subject matter, impugned order passed by this Court dated 25.03.2019 is hereby recalled. The delay caused in filing the present application is condoned. First Appeal (Stamp) No.22437 of 2017 accompanied with Civil Application No.12964 of 2017 be restored at its original stage.

5. After restoration of aforesaid appeal and civil application, issue notice to the respondents. Learned AGP waives service of notice for respondents No.1 and 2, whereas Mrs.S.G.Chincholkar, learned counsel waives service of notice for respondent No.3- Acquiring Body.

6. List the Civil Application No.12964 of 2017 filed for condonation of delay for hearing on 06.02.2020.

(K.K.SONAWANE)
JUDGE

SPT