

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

949 CIVIL APPLICATION NO. 2598 OF 2020
IN RC/243/2020

EX. ENGINEER, MINOR IRRIGATION DIVISION, JALGAON AND ANR
VERSUS
DEVIDAS CHINDHU PATIL AND ORS

...
Advocate for Applicants : Mrs. Vaishali D. Jadhav
AGP for Respondents No. 6 and 7 : Mr. P. M. Kulkarni
...

CORAM : K.K. SONAWANE, J.

DATED : 27th FEBRUARY, 2020.

ORDER :-

1. Heard learned counsel for the applicants. Perused the application and other relevant documents resulting into dismissal of the proceedings of first appeal and allied Civil Applications therein filed on behalf of applicants-Acquiring Body.
2. Learned counsel for applicants fairly conceded that inadvertently the copies were not supplied for issuance of notice to respondents within stipulated period, which resulted into dismissal of the proceedings. She undertakes to supply the copies in case the proceedings of first appeal and allied applications are restored to its stage.
3. In view of nature of subject matter and submissions advanced on behalf of learned counsel for applicants, there is no impediment to grant one more opportunity to applicants-Acquiring Body for substantial justice into the matter. Hence, application deserves to be allowed.

4. Accordingly, Civil Application stands allowed in terms of prayer clause "C". The impugned order passed by learned Registrar (Judicial) dismissing the proceedings of first appeal stamp No. 35575 of 2019 along with allied applications be restored at its original stage. After restoration of proceedings of proposed appeal and applications therein, the applicants to supply spare copies along with relevant documents within a period of one week. In case, copies are supplied re-issue notice to respondents, returnable on 03-04-2020. If copies are not supplied within stipulated time, once again present order shall stand vacated automatically without further reference to this Court.

5. The present Civil Application stands disposed of in above terms.
No order as to costs.

Sd/-

[K. K. SONAWANE]
JUDGE

MTK