

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

**CIVIL APPLICATION NO. 4364 OF 2020
IN
CIVIL APPLICATION NO. 13274 OF 2017
IN
FIRST APPEAL ST NO. 21250 OF 2017**

The Executive Engineer & Ors.

.... Applicants

Versus

Devidas Krushna Bhore & Ors.

.... Respondents

...
Mrs. Sunita D. Shelke, Advocate for the applicants
...

CORAM : B. U. DEBADWAR, J.

DATE : 9th July, 2020

ORDER :

. Heard Mrs. Sunita D. Shelke, learned counsel for the applicants.

2. Learned counsel for the applicants submits that, for want of supplying copies within stipulated time as directed by this court vide order dated 13th December, 2019, first appeal stood dismissed automatically. Non-supply of copies within the stipulated time was neither deliberate nor due to negligence. Thus, Mrs. Shelke, learned counsel seeks to submit cheque of 50% of the decretal amount as per order dated 1st July, 2019 by

extending the time stipulated in order dated 13th December, 2019 and restoring the present first appeal.

3. In view of the submissions made by learned counsel for the applicant at bar, the application is allowed in terms of prayer clauses B) & C).

4. The cheque of the 50% decretal amount shall be deposited with the office within a period of one week from today, failing which the present civil application shall stand dismissed automatically without further any order.

[B.U. DEBADWAR]
JUDGE

SG Punde