

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH, NAGPUR**

**Civil Application [CAO] No.424 of 2020**  
**in**  
**Civil Application [MCA] St. No.2441 of 2020**  
**in**  
**First Appeal No.967 of 2014 (D)**

*Govindrao Laxmanrao Mehatre*

vs.

*The State of Maharashtra, through the Collector, Yavatmal & others*

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*Office notes, Office Memoranda of  
Coram, appearances, Court's orders  
or directions and Registrar's orders.*

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*Court's or Judge's Orders*

*None for the Applicant/Appellant.  
Shri M.A. Kadu, A.G.P. for Respondent Nos.1 & 2.  
Shri S.G. Jagtap, Advocate for Respondent No.3.*

**CORAM : S.M. MODAK, J.**  
**DATE : 7<sup>th</sup> DECEMBER, 2020.**

Heard.

The first appeal was dismissed on 13/12/2019, as observed by this Court in it's order, dated 15/11/2019. It was for not filing of private paper-book.

Issue notice to the respondents.

Shri Kadu, learned A.G.P. waives notice for respondent Nos.1 & 2 and Shri Jagtap, learned Advocate waives for respondent No.3.

This is an application for condonation of delay of 19 days caused in filing the application for restoration of the appeal.

For the reasons stated in the application, the delay caused in filing the application for restoration of the appeal is condoned. It is made clear that the appellant will not be entitled for the interest for the condoned period of 19 days. Restoration application be registered.

The application is allowed and disposed of accordingly.

**Civil Application [MCA] No.2441/2020:**

Heard.

For the reasons stated in the application, private paper-book could not be filed. Now the appellant is ready to file private paper-book. Therefore, the order of dismissal needs to be set aside. It is always better to decide the matter on merits. Hence, the order :

First Appeal No.967/2014 is restored to file subject to filing of private paper-book within a period of 15 days from today. Once the private paper-book is filed, it be supplied to the respondents.

The application is allowed and disposed of accordingly.

\*sandesh

**JUDGE**

Sandesh  
Waghmare

Digitally signed  
by Sandesh  
Waghmare  
Date:  
2020.12.08  
11:27:15 +0530