

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

***CIVIL APPLICATION NO.2765 OF 2018
IN
FIRST APPEAL NO.510 OF 2008***

The State of Maharashtra	...Applicant
Vs	
Shamal Suresh Kolage	...Respondent
...	

Ms. Tanaya Goswami for the Applicant.
Mr. Sanskar Marathe for Respondent.

CORAM : SANDEEP K. SHINDE J.
DATE : MARCH 14, 2022.

P.C. :

The First Appeal was filed by the State of Maharashtra against the award drawn in Land Acquisition Reference No.144 of 1994 dated 20th January, 2001.

2 This Court on 11th January, 2008 admitted the First Appeal and directed the State to file paper-book within a period of one year. Since paper-book was not filed, appeal was dismissed in view of the self-operative order dated 11th January, 2008.

3 This application is moved for restoration of the First Appeal. I have perused application and in particular paragraph 3 and 4 of the application. In paragraph 3, it is stated that the office of the Government Pleader by various letters requested Collector, Ratnagiri and Special Land Acquisition Officer, Konkan Railway, Ratnagiri to send papers, for preparing paper-book. In paragraph 4, it is stated that papers were received and the paper-book was prepared; however, it does not disclose, as to when papers were received from Land Acquisition Officer and when paper-book was prepared. Averments in paragraph four are absolutely vague, uncertain and guarded. The fact remains, that this application was filed on 24th January, 2018, i.e. nearly after ten years. In any case, application does not disclose “*Sufficient Cause*” for condoning delay of ten years caused in filing paper-book.

4 In that view of the matter, application is dismissed.

(SANDEEP K. SHINDE, J.)