BDP-SPS-TAC

BHARAT DASHARATH PANDIT

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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL REVISION APPLICATION NO. 379 OF 2016

Appasaheb Bhimrao Jadhav .... Applicant
V/s
Kumar @ Ramchandra Somnath Udpikar .... Respondent.

Ms. Shivani S. Kunder for the Applicant.

CORAM: NITIN W. SAMBRE, J.

DATE: MARCH 29, 2022

P.C.:-

1] None for appears for the non-applicant, though served.

2] The order impugned is dated July 02, 2014 passed by District Judge-1, Malshiras whereby delay of 9 years 6 month and one day is ordered to be condoned, subject to payment of costs of Rs 12,000/-.

3] The case of the Applicant is based on initiation of malicious prosecution against him which is formed to be the basis for initiating suit for compensation which was dismissed. After dismissal of the suit, appeal was time barred as the same was preferred after 9 years.

4] Contention is, Petitioner was pursuing Review Application No.01 of 2005.

5] It is claimed that costs saddled is exorbitant.

6] Heard Ms. Kunder, learned Advocate for the Applicant.

7] Since the contentions in the Application are not controverted, costs saddled of Rs 12,000/- is reduced to Rs 5,000/- to be deposited within 10 weeks from today.

8] Civil Revision Application is partly allowed in the above terms and disposed of.

(NITIN W. SAMBRE, J.)