

Arun

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 3510 OF 2022
IN
REJECTED CASE NO. 1630 OF 2017
CIVIL APPLICATION NO. 465 OF 2011
IN
LETTER PATENT APPEAL (ST) NO. 910 OF 2011

The Sub Divisional Forest Officer, Bhore, UP Van Vibhag, Bhore

In the matter between

The Conservator of Forest & Anr ...Appellants

Versus

Kacharu Yedu Rankhambe, since deceased ...Respondents
through Legal heirs

Mr NC Walimbe, for the Applicant.

CORAM G.S. Patel &
M.G. Sewlikar, JJ.
DATED: 9th June 2022

PC:-

ARUN
RAMCHNDRA
SANKPAI.

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ARUN
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Date: 2022.06.10
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1. By an order of 28th November 2016, the State-Appellant was directed to supply sufficient number of copies of the Civil Application in the LPA to effect service of notice on the legal representative of the Respondents. The Order said that if this was

not done, i.e. copies were not supplied within the stipulated time, this Application and Application No. 58 of 2011 would stand dismissed for non-prosecution.

2. There was a default on the part of the Appellant-State. The Civil Application stood dismissed. Hence this Application for restoration.

3. We will grant the State one final opportunity. We restore the Interim Application No. 465 of 2011.

4. The only reason to condone the delay although we must say we are completely unimpressed by the reasons given in the Civil Application is that the Respondent's legal heirs should not be adversely affected for non-service of the State Government's IA. This is the reason why we condone the delay of four years. However, we make it clear that if sufficient copies are not supplied within four weeks from today, the IA will stand dismissed once again.

(M.G. Sewlikar, J)

(G. S. Patel, J)