

Pooja K.

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 3923 OF 2019
IN
CIVIL APPLICATION NO. 3886 OF 2019

Balasaheb Wamanrao Naik-Gaikwad	... Applicant
<i>Versus</i>	
Mandakani Balasaheb Naik-Gaikwad	... Respondent

...
Mr. P.S. Pawar – Advocate for Applicant

...
CORAM : GAURI GODSE, J.
DATE : 31st January, 2023

PER COURT :

1. This application is filed for setting aside the order dated 13th October, 2018 and the restoration of the Second Appeal.
2. Registration of the Second Appeal was refused as deficit court fees was not paid. Notice was issued in the said application. Office remark shows that, respondent is served. None appears for the respondents.
3. Learned counsel for applicant states that, he will pay court fees within a period of two weeks from today.

4. Hence, subject to payment of deficit court fees in two weeks, the Civil Application is allowed in terms of prayer clauses 'B' and 'C', which reads as under :

B) The delay in filing the present application may kindly be condoned in the interest of justice considering the reasons mentioned in the civil application.

C) The order dated 31.10.2018 refusing the registration of the Second Appeal (St) No. 31911 of 2018 alongwith Civil Application St. No.31913 of 2018 may kindly be set aside and the second appeal alongwith civil application may kindly be restored to its original position by permitting the applicant to deposit the necessary court fees in the interest of justice.

5. Applicant is granted two weeks time for payment the court fees. If court fees is not paid within two weeks from today, the Civil Application will stand dismissed without further reference to the court.

[GAURI GODSE]
JUDGE