

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

**CIVIL APPLICATION NO. 156 OF 2021
IN
REJECTED CASE NO. 574 OF 2018**

Vithoba Ranu Chavan and Ors. ... Applicants

Versus

The State of Maharashtra and Anr. ... Respondents

Mr. Laukik B. Pawar i/b Ergo Juris for the Applicants.
Ms. Tanaya Goswami , AGP for the Respondent/State.

**CORAM: M.M.SATHAYE J.
DATE : 16th JUNE 2023**

PC. :-

1. Heard learned Counsel for the Applicants and learned AGP for the Respondent/ State.
2. This is an application for condonation of delay in filing application for restoration of First Appeal and also for actual restoration of Appeal.
3. The registration of the First Appeal is refused for non removal of Office objection within stipulated time as provided under Order dated 08/03/2018. Apparently, there is delay in filing the

Application. Reasons stated in the Application is that Applicants were not having knowledge about passing of conditional order. Matter arose out of Land acquisition and payment of compensation.

4. Learned Counsel for the Applicant submit that the Applicants will remove Office objections if opportunity is granted. Though the Application is filed sometime in October 2018, no reply is filed by the Respondent/State opposing the same.

5. Considering over all circumstances and averments made in the application, sufficient cause is made out for allowing the Application. Therefore following order is passed:-

ORDER

1. Application is allowed in terms of prayer clauses (a) and (b).
2. First Appeal (Stamp) No. 25663 of 2017 stands restored to file subject to conditions that Applicants shall remove all office objections within four weeks from today and Applicants shall pay costs of Rs. 10,000/- to be deposited with the Maharashtra State Legal Aid Services Authority, Mumbai within four weeks from today.

3. It is clarified that if any of the above condition is not fulfilled by the Applicants, the present Application will stand dismissed automatically without further reference to the Court.

[M.M.SATHAYE,J.]