

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 17474 OF 2023
IN
FIRST APPEAL NO. 906 OF 2002

State Of Maharashtra Through The Special Land ...Applicant/
Acquisition Officer No. 19,Pune Appellant

Versus

Bakas Nurkhan Mulani ...Respondent

Mr. Tanaya Goswami, AGP for Applicant/State

Mr. Abhijit Singh i/by Ms. P.H. Potnis Advocate for Respondent No. 1.

CORAM : M.M. SATHAYE, J.

DATE : 30th NOVEMBER, 2023

P.C. :

1. This is an Application by State for restoration of the Appeal which was dismissed pursuant to Conditional Order dated 17.07.2023 for non deposit of the paperbook charges in the Lower Court within a stipulated time. There is delay of 55 days in filing the Application. The Respondent is served and is represented by an Advocate, who has opposed the Application, but no reply is filed.

2. Considering the averments made in the Application and the extent of delay, sufficient cause is made out. Therefore the Application is allowed in terms of prayer clause (b) and (c). Delay is condoned. The First Appeal is restored to file. The Interim Application is disposed of.

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3. All concerned to act on authenticated or digitally signed copy of this order.

(M.M. SATHAYE, J.)