

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

**CIVIL APPLICATION NO.671 OF 2021 IN
MISC. CIVIL APPLICATION (ST.) NO.13173 OF 2020 IN
FIRST APPEAL NO.309 OF 2014**

(Pralhad s/o Yadav Tumwar Vs. The State of Maharashtra and ors.)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri A.R. Chavhan, Advocate for the appellant.
Shri D.A. Sonawane, Advocate for respondent No.2.
Ms. Udeshi, A.G.P for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- APRIL 20, 2023.

Heard.

2. The application is for condonation of delay which is caused in filing the restoration application.

3. Shri Sonawane, learned Counsel for respondent No.2 and Ms Udeshi, learned Assistant Government Pleader for respondent Nos.1 and 3, waive notice.

4. As per the contention of the appellant this appeal is preferred by the appellant for enhancement of compensation.

5. This Court has passed the order for filing of the paper book which was inadvertently not noted by the learned Counsel, and therefore, the paper book was not filed. The conditional order was not within the knowledge of the learned Counsel and i.e. the reason for the delay.

6. Shri Chavhan, learned Counsel submitted that the delay is not intentional one. Now he will file the paper book within one week.

7. Learned Counsel for respondent No.2 strongly opposed the application on the ground that the delay is not properly explained.

8. In view of the reasons mentioned in the application the delay is condoned.

9. Civil application is disposed of.

MISC. CIVIL APPLICATION (ST.) NO.13173 OF 2020

Heard.

2. On filing of the paper book within two weeks, the appeal be restored at its original stage. On failure to file the paper book within two weeks, the earlier order passed by this Court will survive.

FIRST APPEAL NO.309 OF 2014

Heard.

2. Place the matter after filing of the paper book and its verification.

(URMILA JOSHI-PHALKE, J.)

**Divya*