

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAO) NO.890 OF 2022
IN
MISC. CIVIL APPLICATION STAMP NO.14921 OF 2022
IN
FIRST APPEAL STAMP NO.25513 OF 2018

Madhukar s/o Wamanrao Turak

Vs.

The State of Maharashtra through District Collector, Wardha and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. K. S. Agrawal, Advocate h/f Mr. S. W. Sambre, Advocate for appellant/applicant.
Ms. T. Udeshi, AGP for respondent Nos.1 and 2.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 24/04/2023

1. The application is for condonation of delay of 323 days which is caused in preferring the restoration application.
2. As per the contention of the applicant, he has file the appeal against the Judgment and Award passed by the Reference Court in Land Acquisition Case No.88/2015 passed by the Civil Judge Senior Division, Wardha. Due to the poor financial condition, applicant could not pay the deficit Court fee stamp and, therefore, appeal is dismissed. Now the applicant is ready to pay the deficit Court fee stamp and hence, appeal be restored.
3. Considering the reason that the land of the applicant was already acquired. He was not having any

source of income and, therefore, he could not pay the Court fee stamp which is just and proper one. In view of that, the delay of 323 days is condoned.

4. Civil Application is disposed of.

MISC. CIVIL APPLICATION STAMP NO.14921 OF 2022

1. On payment of deficit Court fee stamp within four weeks, the appeal be restored at its original stage.

2. On failure to pay Court fee stamp within four weeks, the earlier order passed by the Registrar (Judicial) will survive.

3. Misc. Civil Application is disposed of.

(URMILA JOSHI-PHALKE, J.)

Sarkate