

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

CIVIL APPLICATION (CAO) NO. 892/2022 IN M.C.A. ST. NO.
14930/2022 IN R.C. NO. 785/2019 (FIRST APPEAL ST. NO.
25518/2018)

Sanjay S/O Vinayakrao Wallabhwar

Vs

The State Of Maharashtra Through Colletor, Wardha And 2 Others

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

Court's or Judge's Order

Mr K.S. Agrawal, advocate h/f Mr S.W. Sambre, advocate for the appellant.
Ms T.H. Udeshi, AGP for the respondent Nos. 1 and 2.
Ms Mallika Babhulkar, advocate h/f Mr M.A. Kadu, advocate for the
respondent No.3.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 21/04/2023.

1. Heard.
2. The present application is seeking for condonation of delay which is caused in preferring the restoration of application.
3. As per the contention of the applicants, the applicants are poor agriculturists whose land was acquired by the Government and therefore, the appeal was preferred for enhancement of the compensation. However, the office objections regarding the deficit Court fee stamp and conditional order was not inadvertently noted by the learned advocate for the appellant, and therefore, the delay is caused.

4. It is common knowledge that litigants are not attending the proceeding at the appellate stage and learned advocate has not noted the conditional order therefore, the delay is caused.

5. In view of the reasons mentioned in the application, a delay of 323 days is condoned.

Civil application is disposed of.

MCA St.No. 14930/2022

1. On depositing the Court fee within a period of four weeks, the appeal be restored as its original stage.

2. On failure to deposit the Court fee within a four weeks, the earlier order passed by the Registrar (J) will survive.

The Misc. Civil Application is disposed of.

JUDGE