

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.7902 OF 2024

IN

FIRST APPEAL NO.1401 OF 2022

Charudatta Vidhyadhar Chandurkar ... Appellant/Applicant

V/s.

State of Maharashtra through ... Respondents
Collector, Kolhapur and Ors.

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Mr. Omkar Nagvekar I.by Prabha Badadare, for the applicant.

Mr. A.R.S. Baxi, for the respondent no. 2.

CORAM : KISHORE C. SANT, J.

DATE : 24TH APRIL 2024.

PC:

1. Heard.

2. This application is for restoration of the First Appeal that came to be dismissed in view of order dated 25th July 2023. The order was passed directing the appellant to file paper-book within six months from the date of the order. In case of failure, the application shall stands dismissed without further reference to the Court.

3. Learned advocate for the applicant submits that though record was not received by this Court within six months and for that reason R & P could not be prepared by the applicant. The applicant also further states that there is a delay of 138 caused in filing of this

application.

4. Learned advocate for the respondent vehemently opposes the application. However, appeal is admitted, it could not be proper to dismiss the appeal for technical reason. Hence, appeal stands restored to its original status.

5. Parties are at liberty to move the Court after R and P is prepared.

(KISHORE C. SANT, J)