

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.15073 OF 2023
IN
FIRST APPEAL NO.1321 OF 2017**

State of Maharashtra ..Applicant
Versus
Shri. Kailash Ramesh Patil & Ors. ..Respondents
Mr. A. R. Patil, AGP for the Appellant/State.

CORAM : KISHORE C. SANT, J.

DATE : 3rd JANUARY, 2024

PC.

1. This application is filed seeking restoration of the Appeal that is dismissed in view of the order passed by this Court dated 5th September, 2019. This Court by the said order was pleased to admit the Appeal. Appellant was directed to file private paper-book within one year from the date of that order. In case of failure, the matter was to stand dismissed without further reference to the Court. Since the Appellant could not furnish the paper-book within one year, the Appeal came to be dismissed.

2. Learned APP submits that now the paper-book is ready and will be filed within four weeks from today. He submits that because of the Covid-19, that started after few months of the order

the same could not complied with. There is also delay of 2 years and 193 days caused in filing the application. For the reasons stated, the delay stands condoned.

3. The application is allowed.

4. Since the amount is already deposited in this Court, matter be restored to its original status, subject to condition of furnishing the paper-book within four weeks.

[KISHORE C. SANT, J.]