



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

Misc. Civil Application No. 761 of 2022

in

First Appeal No. 590 of 2017 (D)

[M/s P. H. Sales Corporation through its Partner Mr. R. N. Khandelwal ..vs.. The State of Maharashtra
through Land Acquisition Officer & S.D.O., Akola and anr.]

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

Court's or Judge's orders

Ms. K. E. Meshram, Advocate h/f Mr. M. G. Sarda, Advocate for the
applicant/appellant

Mrs. D. I. Charlewar, AGP for the non-applicant no. 1/State

CORAM : ANIL L. PANSARE J.

DATED : 04-01-2024

By present application, the applicant is seeking to
restore First Appeal No. 590/2017.

It appears that vide order dated 22-6-2021, the
applicant – appellant was directed to file private paper
book within a period of six months which the applicant
could not because of existence of Covid pandemic
situation.

The application has been filed on 21-2-2022. The
Supreme Court in Suo Motu Petition (C) No. 3/2020 has
been pleased to take a view that the period between
15-3-2020 till 28-2-2022 should be excluded for the
purposes of limitation. That being so, the applicant has
justified his inaction in not filing private paper book
within six months i.e. within the period prescribed by the
Hon'ble Supreme Court.

In view thereof, the application deserves to be
allowed and it stands allowed.

Learned counsel for the applicant/appellant submits that paper book is ready and same will be filed within five working days. First Appeal No. 590/2017 is restored on file.

First Appeal No. 590 of 2017

The appellant shall file paper book within five working days, failing which, the appeal shall stand dismissed without further reference to the Court.

If paper book is filed, the Registry shall process the appeal for final hearing in accordance with rules.

(Anil L. Pansare, J.)