



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

CIVIL APPLICATION (CAO) No.854 OF 2024
IN
MISC. CIVIL APPLICATION ST. No.13207 OF 2024
IN
FIRST APPEAL No.542 OF 2017 (D)

(Deepak s/o. Shriram Tarte Vs. The State of Maharashtra, through Collector, Yavatmal 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. S.V. Ingole, Advocate for appellant.
Mr. M.A. Kadu, AGP for respondent Nos.1 and 2.
Mr. J.B. Kasat Advocate for respondent No.3.

CORAM : SANJAY A. DESHMUKH, J.
DATE : 23rd JULY, 2024.

1. Issue notice to the respondents.
2. Mr. M.A. Kadu, learned A.G.P. waives service of notice on behalf of respondent Nos.1 and 2.
3. Mr. J.B. Kasat, learned Advocate waives service of notice on behalf of respondent No.3.
4. This is an application for condonation of delay in filing restoration application.
5. Perused the application.
6. Heard learned Advocate for both sides.
7. Considering the peculiar set of facts particularly the reasons stated in the application, the delay caused for preferring the restoration application deserves to be allowed in the interest of justice.

8. The application is allowed.
9. The delay of 833 days caused in preferring the restoration application is condoned.
10. The application is disposed of.

MISC. CIVIL APPLICATION ST. No.13207 OF 2024.

1. This is an application for restoration of the appeal which was dismissed for non-compliance of directions of this Court i.e. filing of private paper-book.
2. Learned counsel for the appellant submitted that paper book is filed by V.I.D.C. in First Appeal No. 79/2017 which is against impugned judgment of this appeal. Hence, paper-book be dispensed with.
3. Considering the above submission, the application is allowed and filing of private paper-book is dispensed with.
4. The appeal is restored on its original number.
5. The application is disposed of.

FIRST APPEAL No.542 OF 2017.

This appeal be tagged with First Appeal No.79/2017.

(SANJAY A. DESHMUKH, J.)