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31-CA-8854-2025

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

31 CIVIL APPLICATION NO. 8854 OF 2025
IN RC/354/2009

The State Of Maharashtra Through The Collector Osmanabad
VERSUS
Hyderali Ahmadali And Ors

...

Smt. R. R. Tandale, AGP for Applicant-State.

CORAM : KISHORE C. SANT, J.

DATE : 24th SEPTEMBER 2025.

PC :-

1. Heard the learned AGP for the Applicant.
2. This application is filed for restoration of Civil Application No.4878/2006 in First Appeal No. 8563/2006, which came to be dismissed for want of taking steps pursuant to order passed by this Court dated 28th February 2008, directing the applicant to take steps within stipulated period. If no steps were taken, the matter was to be dismissed in default without reference to the Court.

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3. Further prayer is made to condone the delay of 6333 days caused in filing the present application. The conditional order was passed on 28th August 2008 directing to take steps. In the application, the only reason assigned is that the concerned Desk Officer was transferred. No follow up was taken. Further ground taken is that the valuable right of the applicant is involved.

4. The learned AGP vehemently tried to argue that the appeal was preferred by the State involving valuable rights of the State.

5. It is seen that now even the appeal memo and annexures are also destroyed and are not available. This Court thus finds that restoring of the appeal would be of no use. As it is no satisfactory reason is stated in the application, the application deserves to be dismissed and the same is hereby dismissed. No order as to costs.

[KISHORE C. SANT, J.]