



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 13346 OF 2024
IN FA/560/2008**

Chandrabhagabai Digambar Kadbhane
And Another

.. Applicants

Versus

State Of Maharashtra
Through The Collector, Dist Parbhani
And Others

.. Respondents

Mr. M. G. Kedar, Advocate h/f Mr. G. K. Naik Thigle, Advocate for
the Applicants.

Mr. R. B. Dhaware, AGP for Respondent Nos. 1 and 2.

CORAM : KISHORE C. SANT, J.

DATE : 31st JULY, 2025.

PER COURT :-

. Heard learned advocate for the applicants.

2. This application is for restoration of the first appeal that came to be dismissed for not carrying out the amendment. This Court by order dated 26.06.2024 extended the time to carry out the amendment within four weeks. It is further directed that, if no amendment is carried out within time, the appeal shall stand dismissed without further reference to the Court. The amendment

was not carried out within four weeks and thus, the appeal came to be dismissed.

3. The learned advocate for the applicants informs that, in fact, there was no amendment to be carried out. The matter was simply on board for fixing it for final hearing on an early date. Inadvertently, the order from some other matter is wrongly typed in the First Appeal No. 560/2008. He submits that, since the matter was not listed after four weeks and at that time it came to knowledge of the applicants.

4. Considering the above position, this Court finds that, order dated 26.06.2024 needs to be recalled. The order dated 26.06.2024, therefore, stands recalled. The First Appeal No. 560/2008 stands restored to its original position.

5. The civil application stands disposed of.

(KISHORE C. SANT, J.)

PS.B.