

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 10204 OF 2025
IN
FIRST APPEAL NO. 1318 OF 2016

Mr. Rajaram Gajanan Gangal (death) Through ...Applicant
His Legal Representatives

Versus

The Special Land Acquisition Officer ...Respondent

Ms. Deepa Punde i/b Sachin Punde for the Applicant.
Mr. A.R. Patil, Addl. Govt. Pleader for Respondent/State.

CORAM : M.M. SATHAYE, J.
DATE : 11th AUGUST, 2025

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P.C. :

1. Heard learned advocate for the Applicant and learned Additional Government Pleader for Respondent State.
2. This is an application for restoration of the First Appeal which is dismissed under conditional order dated 09.03.2023 for non filing of private paper book within stipulated time.
3. Learned advocate for the Applicant submitted that paper book is ready and same can be filed if permitted by the Court. She submits that the substantive First Appeal needs to be restored so that matter can proceed on merits.
4. No reply is filed to the application, though learned Addl. Govt. Pleader has opposed the application.

5. Considering the averments made in the application and further considering the fact that the appeal is arising out of dispute regarding compensation payable under Land Acquisition Act, and further considering that the appeal was dismissed on technical ground, the sufficient cause and case for restoration is made out.

6. Subject to Applicant's filing private paper book within a period of 4 weeks from today, the application is allowed, delay is condoned and the dismissal of appeal under conditional order dated 09.03.2023 is set aside, thereby restoring the appeal for hearing on merits.

7. Interim Application is disposed of in above terms.

(M.M. SATHAYE, J.)