

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 10669 OF 2025
IN
FIRST APPEAL (ST) NO. 8876 OF 2025**

The Executive Engineer,
Minor Irrigation Department, Kalwa
Versus
Chetana Raghupati Reddi & Ors.

...Applicant

...Respondents

Adv. Leena Patil for the Applicant.
Mr. A. R. Patil, Addl. GP for the Respondent-State.

CORAM : M. M. SATHAYE, J.

DATED : 8th AUGUST 2025

P.C.:

1. Heard learned Counsel for the parties.
2. This is an Application for restoration of the First Appeal and Interim Application, which are dismissed under conditional order dated 24/04/2025 for non-removal of office objections. There is a nominal delay of 67 days in filing the present Application. Order dated 24/04/2025 indicates that nobody appeared when the order was passed.
3. It is stated in the Application that there was a mistake in calculation of court fees by the Advocate and as such the challan was drawn for wrong amount of court fees. It is stated on instructions that office objections were

for non-payment of court fees.

4. In the aforesaid facts and circumstances, since the substantive First Appeal is dismissed on technical ground and considering the statement made by the Applicant that necessary court fees will be paid, case for grant of Application is made out.

5. Subject to the Applicant removing all office objections within a period of four weeks from today, including payment of proper court fees, the Application is allowed; delay is condoned; dismissal under order dated 24/04/2025 is set aside and first appeal with pending interim application is restored.

6. Interim Application is disposed of in above terms.

(M. M. SATHAYE, J.)