

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**CIVIL APPLICATION NO. 8348 OF 2014 IN
 FIRST APPEAL NO. 2294 OF 2012**

Executive Engineer,
 Minor Irrigation Division, Dhule .. Applicant
 VERSUS
 Vishwas Arjun Desale and anr. .. Respondents

WITH

CIVIL APPLICATION (ST.) 6065 OF 2014 IN F.A. 2324/2012
 CIVIL APPLICATION (ST.) 6066 OF 2014 IN F.A. 2318/2012
 CIVIL APPLICATION (ST.) 6067 OF 2014 IN F.A. 2323/2012
 CIVIL APPLICATION (ST.) 6068 OF 2014 IN F.A. 2322/2012
 CIVIL APPLICATION (ST.) 8349 OF 2014 IN F.A. 2337/2012
 CIVIL APPLICATION (ST.) 6077 OF 2014 IN F.A. 1863/2012
 CIVIL APPLICATION (ST.) 22826 OF 2014 IN CROSS OBJ. (ST.) 22825/2014
 CIVIL APPLICATION (ST.) 22828 OF 2014 IN CROSS OBJ. (ST.) 22827/2014

AND

CIVIL APPLICATION NO. 8350 OF 2014 IN F.A. 2336/2012
 CIVIL APPLICATION NO. 8343 OF 2014 IN F.A. 2335/2012
 CIVIL APPLICATION NO. 8344 OF 2014 IN F.A. 2321/2012
 CIVIL APPLICATION NO. 8345 OF 2014 IN F.A. 2320/2012
 CIVIL APPLICATION NO. 8346 OF 2014 IN F.A. 2319/2012
 CIVIL APPLICATION NO. 8347 OF 2014 IN F.A. 2301/2012

Mrs. Vaishali D. Jadhav-Patil, Advocate for the applicant in all matters

Mr. S.M. Jadhav, AGP for the respondent/State

Mr. A.B. Kale, Advocate for respondent nos. 1 to 3 in all matters and for applicants in CAST/22826/2014 and 22828/2014

CORAM : M.T. JOSHI, J.

DATE : 28/01/2015

ORAL ORDER :

1. Heard both sides.
2. Delay of nearabout one year in seeking restoration of the first appeals is sought to be condoned and also restoration is sought to be made by the present civil applications.

3. Learned counsel for the appellants-applicants submits that due to oversight the delay has occurred as well as the process fees could not be deposited.

4. For the reasons stated in the applications, the same are allowed. Delay is condoned.

5. All the first appeals are restored to the file. Since Mr. Kale appears in all the matters, there is no need to pay the process fees. Copies of the appeal memos are served to Mr. Kale. Appeals be restored to the file without any order as to costs. Print of the paperbooks is dispensed with.

6. Since the appeals are already admitted, for the reasons stated in the applications, seeking condonation of delay in filing the Cross Objections, the same are hereby allowed. Cross Objections be registered and placed with the concerned first appeals.

7. All Civil applications stand disposed of accordingly.

8. All the matters be kept together.

9. Upon restoration, Mr. Kale waives service of notice for the respondents in all the first appeals.

[M.T. JOSHI]
JUDGE

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