

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CIVIL APPLICATION (CAO) NOS. 573 & 574 OF 2015

IN

CIVIL APPLICATION (CAO) NO. 875 OF 2013

IN

FIRST APPEAL NO. 956 OF 2013

(Maharashtra State Industrial Development Corporation & others Vs. Gowardhani Construction Co.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri M. M. Agnihotri, Advocate for the appellants.
Shri J. B. Gandhi, Advocate for the respondent/applicant.

**CORAM : B. P. DHARMADHIKARI
AND S. B. SHUKRE, JJ.**

DATED : 24 MARCH, 2015

Prayer is to restore civil application (CAO) No. 875/2013 moved by the respondents for withdrawal of amount. The application has been dismissed in default as there is delay in moving the application for restoration. CAO No.573/2015 has been filed explaining the delay of about 81 days.

CAO No. 574/2015 is for restoration. The reasons for absence on 11/11/2014 are supported by personal affidavit of learned Counsel.

We do not see any mala fides. Though

Shri Agnihotri, learned Counsel for the appellants has some objections, we are inclined to condone the delay and allow the prayer in CAO No. 574 of 2015.

Accordingly, by recalling order dated 11/11/2014, CAO No. 875/2013 is restored to file.

Both the applications are disposed of accordingly.

JUDGE

JUDGE