

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

C.A.O. NO. 610/15 IN M.C.A. ST. NO. 5507/15 IN FIRST APPEAL NO. 580 OF
2005.

Syed Ale Mohiuddin Hadi Naqshbandi (Dead), through Syed Izharul Islam Talib
Naqshbandi & others .vs. State of Maharashtra & another

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders
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Mr. S.O. Ahmed, Advocate for applicants,
Mrs. B.P. Maldhure, Assistant Government Pleader for respondent
no. 1.
Mr. M.M. Agnihotri, Advocate for respondent no.2.

CORAM : B.P. DHARMADHIKARI & S.B. SHUKRE, JJ.

DATED : MARCH 30, 2015.

Heard Mr. S.O. Ahmed, learned Advocate for applicants.

Mrs. B.P. Maldhure, learned Assistant Government Pleader
for respondent no. 1 and Mr. Agnihotri, learned Advocate for
respondent no.2 are seeking time to obtain instructions.

However, we find that the First Appeal was dismissed for
want of prosecution on 9.2.2015. It was admitted by this Court in 2005
and the land owners are seeking enhancement of compensation
awarded to them. It appears that notice for engagement of another
Counsel became necessary as earlier Counsel ceased to be in
practice. The applicants required some time to make alternate
arrangement and in that situation matter came to be dismissed.

Though Mrs. B.P. Maldhure, learned Assistant Government
Pleader for respondent no. 1 and Mr. Agnihotri, learned Advocate for
respondent no.2 are opposing adjournment, we do not see any

malafides and we condone the delay of 7 days in filing M.C.A. St. No. 5507/15. The application stands disposed of accordingly.

M.C.A. ST. NO. 5507/15 :

The matter is taken up with consent of parties.

We have already recorded the reasons while deciding the application for condonation of delay of 7 days today. We recall the order dated 9.2.2015 and First Appeal No. 580/05 is restored back to file. The application stands disposed of.

Respective Counsel waive notices after restoration.

Judge

Judge

J.