

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

CAO No.869/2014 & MCA St. No.8660/2014 in FA No.349/2005
Wasudeo s/o Ramrao Gade VS. Dnyaneshwar s/o Daduji Gondane
and ors.

Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	<u>Court's or Judge's</u> <u>Orders.</u>
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CORAM : Z.A. HAQ, J
DATE : 16th January, 2015.

Heard Shri V. G. Bhamburkar, the learned Advocate for the applicant and Shri P.R. Agrawal, the learned Advocate for respondent nos. 1 and 2 and Shri A.R. Godbole, the learned Advocate for the respondent no.4.

Though the delay in filing the application for restoration of the First Appeal is inordinate, considering the reasons given in the application, the delay is condoned.

As the First appeal was admitted and pending for final hearing, it is restored, however, on condition that the appellant shall pay costs of Rs. 5000/- to the learned Advocate for the respondent nos. 1 and 2 and produce the receipt on the record of the appeal till 9th March, 2015, failing which this order shall stand recalled and the application and the appeal shall stand dismissed without reference to the Court.

Shri Bhamburkar, the learned Advocate submits that the private paper book is ready and it will be filed within two weeks. If the private paper book is not filed within two weeks, the appeal shall stand dismissed without reference to the Court.

Civil applications are disposed of in the aforesaid terms.

JUDGE

Ambulkar