

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

CIVIL APPLICATION (CAF) NO. 198 OF 2009

IN

FIRST APPEAL NO.59 OF 2009.

(M.I.D.C....VS..JANARDHAN BAPURAOJI PACHAGHARE & OTH.)

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

Court's or Judge's orders

Mr. Ganesh Iyer h/f M.M.Agnihotri, Advocate for Applicant/Appellant.
 Ms B.P.Maldhure, A.G.P. for Non-applicant/ respondent Nos.2 & 3.

CORAM : Z.A.HAQ, J.

DATED : JANUARY 30, 2015.

This Court by order dated 22nd January, 2009 granted interim order on the condition that the appellant shall deposit the amount as per the impugned order till 15th March, 2009. The learned advocate for the appellant submits that part of the amount is deposited and seeks time to deposit the balance amount. Civil Application No.3192 of 2009 was filed by the land owners seeking permission to withdraw the amount deposited by the appellant. This Court, by order dated 4th March, 2010, permitted withdrawal of the amount and granted eight weeks' time to the appellant to deposit the balance amount. There is neither any application nor any affidavit explaining the lapse on the part of the appellant in depositing the amount. The appellant has not been vigilant in prosecuting the application. The application is **dismissed**.

The interim order granted by this Court on 22nd January, 2009 is vacated.

JUDGE