

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

C.A.F. NO.651/2014
IN
FIRST APPEAL STAMP NO.17394/2013

Maharashtra Industrial Development Corporation

..Versus..

Namdeo Sakharam Pardhan through L.Rs. and others

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

Court's or Judge's orders

Shri Bhoyar, Adv. h/f Shri M.M. Agnihotri, Adv. for the applicant/appellant.
Shri K.S. Narwade, Adv. for respondents 1(a) to 1(d).
Ms. M.P. Maldhure, A.G.P. for respondents 2 to 4.

CORAM : Z.A. HAQ, J.

DATE : 19.1.2015

Heard.

For the reasons stated in the application and the fact that it is not opposed inasmuch as reply is not filed by the non-applicants, the delay of 59 days in filing the appeal is condoned. The civil application is allowed.

FIRST APPEAL STAMP NO.17394/2013

The appeal is taken up on board for admission by the consent of the learned advocates for the respective parties.

Admit.

Shri Narwade, the learned advocate, waives notice for the respondents 1(a) to 1(d).

Ms. Maldhure, the learned A.G.P., waives notice for the respondents 2 to 4.

The applicant/appellant shall file the private paper book within six months from today, failing which the appeal shall stand dismissed without reference to Court.

C.A.F. NO.652/2014.

There shall be interim stay to the execution of the impugned order on condition that the applicant/appellant deposits the entire amount as per the impugned order with the Registry of this Court till 24th April, 2015. If the amount is deposited within the stipulated time,

the interim order shall continue till the decision of the appeal.

If the amount is not deposited within the stipulated time, the interim order shall stand vacated without reference to Court.

On deposit of the amount by the applicant/appellant within the stipulated time, the respondents 1(a) to 1(d) are permitted to withdraw 50% of the amount on furnishing solvent surety to the satisfaction of the Registrar (J.) of this Court. The respondents 1(a) to 1(d) are permitted to withdraw the balance 50% of the amount which would be deposited by the applicant/appellant on filing an undertaking to the satisfaction of the Registrar (J.) of this Court to the effect that the respondents 1(a) to 1(d) shall redeposit the amount, along with interest as would be determined by the Court, within the stipulated time, if the appeal is allowed. The civil application is allowed in the above terms.

JUDGE