

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

Civil Application (CAF) No.530 of 2014

In

First Appeal Stamp No.1557 of 2014

(VIDC, through Executive Engineer, Lower Wardha Project Division,
Wardha v. Karuna Vikasrao Kolhe and others)

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

Shri S.K. Bhoyar, Advocate for Applicant/Appellant.
Shri Chopde, Advocate for Non-Applciant/Respondent No.1.
Shri M.A. Kadu, AGP for Non-Applcants/Respondent Nos.2
and 3.

Coram : R.K. Deshpande, J.

Date : 14th March, 2016

Civil Application (CAO) No.589 of 2015 along with
Misc. Civil Application No.588 of 2015 :

Heard the learned counsels appearing for the parties.

For the reasons stated in both these applications, the same are allowed. The delay of 220 days caused in filing of the restoration application, is condoned. Civil Application No.530 of 2014 is restored.

Both these applications are disposed of.

Civil Application (CAF) No.530 of 2014 :

Notice to the non-applcants, made returnable forthwith.

Respective counsels waive service of notice.

After going through the averments made in this application, which remained uncontroverted, I am satisfied that a sufficient cause is made out for condonation of 271 days of delay caused in filing an appeal.

Hence, the civil application is allowed, the delay caused is condoned.

The civil application is disposed of.

First Appeal Stamp No.1557 of 2014 :

Heard the learned counsels appearing for the parties on merits of the matter.

Admit.

Respective counsels waive service of notice.

Call for R & P.

Civil Application (CAF) Stamp No.1559 of 2014 :

There shall be interim stay in terms of prayer clause (i) of this civil application, which shall continue to operate pending the decision of the appeal.

The appellant to deposit the entire decretal amount in this Court within a period of twelve weeks from today; failing which this civil application for stay shall stand dismissed without reference to the Court.

The civil application is disposed of.

Judge.

Lanjewar