

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

Civil Application (CAF) No.2938 of 2015

In

First Appeal Stamp No.7955 of 2015

(The Executive Engineer, Purna Medium Project Division, VIDC, Amravati v.  
Vitthalrao Tipuji Behare and others)

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

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Shri S.S. Godbole, Advocate for Applicant/Appellant.  
Shri H.R. Dhumale, AGP for Respondent Nos.2 and 3.

**Coram : R.K. Deshpande, J.**

**Date : 9<sup>th</sup> March, 2016**

Civil Application (CAF) No.2938 of 2015 :

This is an application for condonation of 330 days of delay caused in filing an appeal.

Notice of this civil application was issued on 4-12-2015. All the respondents are served. No reply is filed opposing the application.

For the reasons stated in the application, which remained uncontroverted, I am satisfied that a sufficient cause is made out for condonation of delay.

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

The civil application is disposed of.

First Appeal Stamp No.7955 of 2015 :

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

Admit.

Respective counsels waive service of notice.

Call for R & P.

Civil Application (CAF) No.2939 of 2015 :

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

The applicant/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