

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

Civil Application [CAF] No.3084 of 2015
in
First Appeal Stamp No.12412 of 2015

(The Executive Engineer, Bembla Project Division, V.I.D.C., Yavatmal

vs.

Bhaskar Sadashiv Pardakhe and others)

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*Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.*

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Court's or Judge's Orders

CORAM : S.B. SHUKRE, J.
DATE : 30th NOVEMBER, 2016.

Heard Shri S.S. Godbole, learned Counsel for the applicant, Shri A.B. Nakshane, learned Counsel for non-applicant No.1 and Shri K.R. Lule, learned A.P.P. for non-applicant Nos.2 and 3.

It appears that certified copy of the judgment and order was made available about five months after the delivery of the judgment and order dated 19/03/2013. After this delay, the authorities concerned also took their own time in taking their appropriate decisions. All in all, the only conclusion that would be possible is that there are no *mala fides* involved. The application is, therefore, allowed. The delay is condoned. The appeal be registered.

The application is disposed of accordingly.

First Appeal Stamp No.12412/2015 :

Heard.

Admit.

Call for record and proceedings.

Shri Nakshane, learned Counsel waives notice for respondent No.1 and Shri Lule, learned A.G.P. waives for respondent Nos.2 and 3.

The facts of First Appeal No.672/2015 being more or less similar to the present appeal, the request of the learned Counsel for respondent No.1 for permitting the respondent No.1 to withdraw 75% of the amount deposited by the appellant in this Court against usual undertaking is granted. Undertaking to be furnished within four weeks from the date of the order.

*sdw

JUDGE