

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

Civil Application (CAF) No.3259 of 2015

In

First Appeal Stamp No.14211 of 2015

(The Executive Engineer, Lower Wardha Project Division, Wardha v.
Moreshwar Sheshrao Wankhede 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.S. Godbole, Advocate for Applicant/Appellant.
Shri P.A. Dharaskar, Advocate, holding for Shri Anand Parchure,
Advocate for Respondent No.1.
Shri M.A. Kadu, AGP for Respondent Nos.2 and 3.

Coram : R.K. Deshpande, J.

Date : 9th March, 2016

Civil Application (CAF) No.3259 of 2015 :

This civil application is for condonation of 47 days' delay caused in filing an appeal.

Notices were issued to the respondents on 9-12-2015. The respondent No.1-claimant has filed a reply opposing the application for condonation of delay. The learned counsel for the respondent No.1-claimant has pointed out certain discrepancies in the averments made in the application. The application does not seem to have been drafted properly. However, there does not seem to be lack of bona fides.

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

Hence, the civil application is allowed, subject to payment of costs. The delay caused is condoned. The applicant/appellant to pay the costs of Rs.1,000/- to the respondent No.1 within a period of two weeks.

The civil application is disposed of.

First Appeal Stamp No.14211 of 2015 :

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

Admit.

Respective counsels waive service of notice.

Call for R & P.

Civil Application (CAF) No.3260 of 2015 :

The entire decretal amount has already been deposited by the appellant in this Court on 12-2-2016.

Hence, 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 civil application is disposed of.

Judge.