

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

Civil Application [CAA] No.59 of 2016
in
Appeal Against Order Stamp No.14360 of 2016

(Mahadeo s/o Champatrao Karluka and another

vs.

State of Maharashtra, through its Collector, Wardha 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.V. Sohoni, learned Counsel for the applicants and Shri K.R. Lule, learned A.G.P. and Shri S.K. Bhoyar, learned Counsel, who appeared on behalf of non-applicant No.1 and non-applicant Nos.2 & 3 respectively, by waiving notices.

A perusal of the application discloses that this is a clear case which would reasonable fall within the parameters of Section 14 of the Limitation Act. It also appears that the applicants were *bona fide* prosecuting the wrong remedy, which has been highlighted by the order passed by this Court while hearing the second appeal. The application, therefore, discloses sufficient cause.

The delay is condoned and the appeal is directed to be registered.

The application is allowed and disposed of accordingly.

Civil Application [CAA] No.60/2016 :

Heard.

Four weeks' time is granted for filing on record the certified copies of Annexure Nos.2, 3, 5 and 6.

The application is allowed and disposed of accordingly.

Appeal Against Order Stamp No.14360/2016 :

Heard the learned Counsel for the appellants and Shri K.R. Lule, learned A.G.P. and Shri S.K. Bhoyar, learned Counsel respectively for respondent No.1 and respondent Nos.2 & 3, who appeared by waiving notices.

Let the matter be kept for final disposal by consent after two weeks.

*sdw

JUDGE