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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION No. 311 OF 2017
AND
CIVIL APPLICATION No. 312 OF 2017
IN
CIVIL REVISION APPLICATION No. 183 OF 2014

Anil Jagannath Virajdar ... Applicant
Vs.
Harish @ Rajesh G. Singh & Ors. ... Respondents

Mr. Vishal Singh i/b Kumar & Associates, for the Applicant.

Ms. Aditi Naikare i/b P. J. Thorat, for Respondent No. 1.

CORAM : M. S. SONAK, J.

DATE : SEPTEMBER 13, 2017

PC :

1. Not on board. In view of urgency, matters are listed today on the production board.

2. By these civil applications applicant seek condonation of delay, and restoration of the interim relief granted by this Court on 23rd July, 2014. For the reasons set out in the civil application seeking condonation of delay, sufficient cause is shown, and the delay is

condoned. Civil Application No. 312 of 2017 is accordingly allowed and disposed of in terms of prayer clause (a).

3. This Court in its order dated 5th October, 2016 while vacating the interim order had observed that if the application is made for restoration of interim order, the same will be considered if and only if, applicant comes with the entire arrears of compensation as per the order dated 5th May, 2016.

4. The learned counsel for the applicant points out that the applicant was facing severe financial crisis, and therefore, was unable to comply with the earlier order relating to deposit of arrears. The learned counsel for the applicant submits that now the applicant has arranged for the finances and if permitted, he will positively deposit the entire arrears within a period of one week from today. He further submits that the applicant will continue to deposit the monthly compensation, as directed by order dated 5th May, 2016 without any default.

5. Taking into consideration the aforesaid facts, civil application is allowed. The interim order dated 5th May, 2016 is

restored subject the applicant depositing the arrears upto 31st September, 2017 in the trial court on or before 21st September, 2017, and in case of failure to deposit the arrears on or before 21st September, 2017, this application shall be deemed to have been dismissed without any further reference to this Court. Civil Application No. 311 of 2017 is accordingly disposed of in the aforesaid terms.

. All concerned to act on an authenticated copy of this order.

Sd/-
[M. S. SONAK, J.]

Vinayak Halemath