

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

CIVIL APPLICATION (CAF) NO.2960 OF 2015

IN

FIRST APPEAL (STAMP) NO.5238 OF 2015

(Milind s/o Damodhar Malode ..vs.. M/s. Modern Road Makers and another)

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

Court's or Judge's orders

Ms. M.H. Pathade, Advocate for the appellant,
Shri D.M. Khandait, Advocate for the respondent No.2.

CORAM : Z.A. HAQ, J.

DATED : 18-01-2017

Heard.

Accepting the explanation, which are not controverted, delay of 124 days in filing the first appeal is condoned.

The civil application is allowed accordingly.

First Appeal (Stamp) No.5238/2015.

Taken up for admission.

Admit.

Call record and proceedings.

The appellant shall file private paper-book within six months.

Shri D.M. Khandait, Advocate waives notice for the respondent No.2.

The respondent No.1 is served with the notice of civil application by paper publication and is aware about the pendency of this proceeding, therefore, fresh notice

of this appeal to the respondent No.1 is not required.

JUDGE

adgokar