

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

C.A.F. No. 2081/2014 AND C.A.O. No. 303/2017 IN FIRST APPEAL ST. No. 5897/2014

(EXE. ENGINEER, LWPD, WARDHA AND ANOTHER -Vs- KRUSHNABAI BALAJI GUBRE AND OTHERS)

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

Court's or Judge's Orders.

Shri S.S. Godbole, counsel for appellants.
Shri D.G. Patil, counsel for respondent no.1.
Shri A.R. Chutake, AGP for respondent nos.2 and 3.

CORAM: DR. SMT. SHALINI PHANSALKAR-JOSHI, J.
DATE : JULY 26, 2017.

This is an application seeking condonation of delay of 238 days in filing the application for restoration of appeal against respondent no.1 by setting aside the order dated 28/06/2016 passed by Registrar (Judicial).

Learned counsel Shri D.G. Patil appears and submits that he has no objection to condone the delay and restore the appeal against respondent no.1.

Accordingly, application is allowed.

Appeal is restored against respondent no.1 by setting aside the order dated 28/06/2016.

C.A.F. No. 2853/2017.

This is an application for withdrawal of the entire decretal amount deposited in the court.

Considering the enhancement awarded by the reference court from Rs.50,000/- per hector to

Rs.2,00,000/- per hector approximately, submission made by learned counsel for appellant Shri S.S. Godbole is accepted and respondent no.1 is permitted to withdraw 80% of the amount as deposited in the court, subject to filing of usual undertaking.

Application is disposed of accordingly.

JUDGE

Yenurkar