

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

CIVIL APPLICATION (CAO) NO.1075 OF 2016 AND MISC. CIVIL APPLICATION
(STAMP) NO.25420 OF 2015

IN

FIRST APPEAL NO.855 OF 2014

(Maharashtra Industrial Development Corporation and others ..vs.. Ramesh Kisanlal Sharma and others)

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

Court's or Judge's orders

Shri M.M. Agnihotri, Advocate for the appellants,
Shri M.N. Ekre, A.G.P. for the respondent Nos.2 to 4.

CORAM : Z.A. HAQ, J.

DATED : 18-01-2017

Inspite of service of notice of first appeal, no one had put in appearance on behalf of the respondent No.1.

Considering the facts of the case, without issuing notice of the civil application and miscellaneous civil application and accepting the explanation given by the applicants/appellants, the delay of 117 days in filing application for restoration of the appeal is condoned and the first appeal which is dismissed as private paper-book was not filed within time fixed by this Court, is restored.

The civil application and miscellaneous civil application are allowed accordingly.

First Appeal No.855 of 2014.

Issue fresh notice to the respondent No.1.

Shri M.N. Ekre, Assistant Government Pleader
appears for the respondent Nos.2 to 4.

JUDGE

adgokar