

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

CAO NO. 66/2018
AND
MCA (ST.) NO. 738/2018
IN
FIRST APPEAL NO. 561/2017

EE, Buldhana
..VS..
Sheshrao Patilba Bangale & anr.

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

Court's or Judge's orders

Shri N.M. Gaidhane, Adv h/f Shri A. Parihar, Adv for applicant/appellant
Ms. A.R. Kulkarni, AGP for the non-applicant/respondent no. 2

CORAM : Z.A.HAQ, J.
DATED : 17/09/2018

Accepting the explanation given in the applications, the delay of 188 days in filing the miscellaneous civil application is condoned, the order by which the appeal is dismissed in default is recalled and the first appeal is restored.

The civil application and the miscellaneous civil application are **allowed** accordingly. No costs.

FIRST APPEAL NO. 561/2017

The appellant has filed *Pursis* (St.) No. 12845/2018 seeking permission to withdraw the appeal as according to the appellant the appeal is not required to be prosecuted in view of the policy of the State Government incorporated in the circular dated 23/02/2017 as modified on 13/08/2018.

The appeal is **disposed** as withdrawn. No costs.

The Court fee be refunded to the appellant as per the rules.

JUDGE

Ansari