

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

C.A.O. NO.492/2018
&
M.C.A. NO.307/2018
IN
FIRST APPEAL STAMP NO.14806/2016
Amol Krushnarao Nistane
..Vs..
State of Maharashtra and others

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

Court's or Judge's orders

CORAM : Z.A. HAQ, J.
DATE : 10.4.2018.

The office note dated 9th April, 2018 shows that Ms. Ashwini Athalye, Advocate has put in appearance for respondent Nos.3 and 4 against whom Civil Application No.3887/2016 is dismissed. None appears for the applicant / appellant. Heard Shri M.A. Kadu, A.G.P. for non-applicants / respondent Nos.1 and 2.

Accepting the explanation given by the applicant /appellant, delay of 163 days in filing application for restoration of appeal is condoned, the order passed by the learned Registrar (J.) on 5th September, 2017 is set aside and Civil Application No.3887/2016 dismissed against non-applicant Nos.3 and 4 is restored. The civil application and miscellaneous civil application are **allowed** accordingly. No costs.

C.A.F. NO.3887/2016

Accepting the explanation given by the applicant / appellant, delay of 1148 days in filing appeal is condoned, however, on condition that the applicant / appellant will not be entitled for interest on the enhanced amount of compensation, if granted. The civil application is **allowed** accordingly. No costs.

FIRST APPEAL STAMP NO.14806/2016

Taken up for hearing on admission.

ADMIT.

Shri M.A. Kadu, A.G.P. waives notice for respondent Nos.1 and 2.

Call record and proceedings.

The appellant shall file private paper book within six months.

JUDGE