

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

CIVIL APPLICATION (CAS) NO.837 OF 2018
IN
SECOND APPEAL NO.553 OF 2017

Western Coalfields Ltd. and ors.

-vs-

Bhaiyaji alias Rukhmangad s/o Dadaji Khade

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

Court's or Judge's Orders.

Shri Tushar Darda, Advocate for appellants.

Shri Anand Parchure, Advocate for respondent/applicant.

CORAM : A.S.CHANDURKAR, J.

DATE : July 13, 2018

By this application it is prayed that a review application filed by the respondent in the appeal which is pending before the first appellate Court be directed to be decided. In the application it is stated that the judgment of the District Court is subjected to challenge in the second appeal and as the interim orders are passed in the second appeal, the first appellate Court is unable to decide the review application.

The learned counsel for the appellants opposes the request on the ground that the second appeal is pending in this Court.

Considering the fact that the review application was filed within the prescribed period, the prayer made in the application to that extent deserves to be granted.

Accordingly, the first appellate Court shall decide the pending review application on its own merits and in accordance with law. Liberty to the parties to take further steps after that adjudication.

Civil Application is disposed of.

JUDGE