

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

CAO No.1435/2017 in MCA St. No.21138/2017 in
First Appeal No.337/2016
(The Executive Engineer, Medium Project Division, VIDC .vs. Abdul Rashid
Abdul Sattar and others.)

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

M.A. Kadu, Advocate for Appellant
Mr. J.A. Malnas, Advocate for Respondent No.1.
Mrs. M.H. Deshmukh, AGP for Respondent Nos. 2 & 3.

CORAM : Manish Pitale, J.
DATED : February 24, 2018.

These are applications for restoration of appeal and for condonation of delay in filing the restoration application. As per earlier orders passed by this Court, interim order was granted in favour of the appellant on the condition that it deposits 50% of the amount as per the compensation granted in the impugned judgment and order of the Reference Court. The time period for deposit of the said amount was extended by three weeks by order dated 17.04.2017 and it was directed that if the amount is not deposited within the stipulated period of time, the appeal would stand dismissed.

Since the appellant failed to make deposit of the amount within the stipulated period of time, the appeal stood dismissed. Thereafter, the appellant sought permission of this Court and deposited the aforesaid 50 % amount in this Court. Thereafter, these

applications have been filed, pointing out that since the aforesaid amount has been deposited, the appeal may be restored for consideration on merits. For the reasons stated in the applications, same are allowed, the delay is condoned and the appeal is restored.

JUDGE

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