

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

CIVIL APPLICATION NO.1779/2018 AND M.C.A. (ST.) NO.16940/2018

IN F. A. ST.NO.1320/2018 (R.C.552/2018)

V.I.D.C. through its Executive Engineer, Bembra Project Division
Yavatmal .vs. Madan Gulabrao Ingole and Ors.

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

Court's or Judge's orders.

Mr. M. A. Kadu, Advocate for applicant.

Mr. A.Balpande, A.G.P.for non applicant nos.2 & 3-State.

CORAM : V.M. DESHPANDE, J.

DATED : OCTOBER 5, 2018

Heard Mr. Kadu, learned counsel for applicants.

On this application, notice to the contesting non applicant no.1 is not required to be issued since the appeal filed on behalf of applicants was rejected for non payment of Court Fees even before issuance of notices.

After hearing learned counsel for applicants and after perusal of the application, I am satisfied that the applicants have made out a case for condonation of delay and for restoration of the first appeal.

Consequently, the applications are allowed. The delay is condoned. First Appeal Stamp No. 1320/2018 is restored to file. The applicants to deposit the Court fee within 10 days from today.

The applications are disposed of.

JUDGE