

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

CIVIL APPLICATION NO.1271/2017 AND
M.C.A. (ST.) NO.17631/2017 IN FIRST APPEAL NO.830/2006
Employees State Insurance Corporation, Nagpur .vs. Orange City Computers
Pvt. Ltd. and anr.

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

Court's or Judge's orders.

Mr. V. P.Maldhure, Advocate for applicant.

CORAM : V.M. DESHPANDE, J.
DATED : OCTOBER 5, 2018

Misc. Civil Application St. No.17631/2017 is for restoration of first appeal dismissed on 06.01.2011. Since, there occurred delay in moving the said application, Civil Application No.1271/2017 was moved for condonation of the said delay.

On both these applications, notices were issued. In spite of service of notices, non applicants chose not to remain present. Consequently, averments made on affidavit in these two applications remained uncontroverted.

The appeal was dismissed for non payment of costs which the applicant was required to pay during the extended period of filing of the paper book. Learned counsel for the applicant submits that the costs is already deposited on 13.09.2017 and paper book is already filed.

The statement is accepted.

In that view of the matter, the application is allowed. The delay in filing application for restoration of the appeal is condoned. Also, the application for restoration of the first appeal is also allowed. First Appeal No.830/2006 is restored to file.

The applications are disposed of.

JUDGE

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