

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

CIVIL APPLICATION (CAO) NO. 662/2018
IN MCA STAMP NO. 21011/17
IN FIRST APPEAL STAMP NO.4039/2015 (R.C. NO.311/2015)

V.I.D.C. thr. Its E.E., Medium Project, Minor Irrigation Work, Nagpur.

Vs.

Mangaldas Chindhuji Thote and others.

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

Court's or Judge's orders.

Shri N.M. Gaidhane, Advocate for the applicant/appellant.
Ms H.N. Prabhu, AGP for non-applicant/respondent Nos. 4 and 5.

CORAM: ARUN D. UPADHYE, J.

DATE: 21-11-2018.

Heard learned counsel for the applicant/
appellant.

Perused the application. There is delay of 833
days for filing the appeal. Considering the reasons stated in
the application, the delay is condoned.

The Civil Application is allowed.

MISC. CIVIL APPLICATION (STAMP) NO.21011/17

Heard learned Counsel for the applicant /
appellant.

Considering the reasons stated in the application,
the application is allowed. The First Appeal Stamp
No. 4039/2015 is restored.

CIVIL APPLICATION (CAF) STAMP NO. 4040/2015

Heard learned counsel for the applicant/appellant.

Perused the application. There is delay of 450 days for filing the appeal. Considering the reasons stated in the application, the delay is condoned.

The Civil Application is allowed.

FIRST APPEAL STAMP NO. 4039/2015

Heard learned Counsel for the appellant.

He has submitted that the appellant has filed Pursis Stamp No. 12931/2018 for withdrawal of appeal. In view of the notification dated 23rd February 2017, the appeal is withdrawn.

Considering the submission of the learned Counsel for the appellant, the appellant is permitted to withdraw the appeal.

Hence, I pass following order.

ORDER

- [i] The appeal is disposed of as withdrawn.
- [ii] The appellant is entitled for refund of Court fees as per rules, if any.

JUDGE