

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

CIVIL APPLICATION (CAO) NO. 1270 OF 2019
IN
MISC. CIVIL APPLICATION (ST) NO. 10347 OF 2019
IN
FIRST APPEAL ST. NO. 26274 OF 2018 (R.C. NO. 336/19)

Vidarbha Irrigation Development Corporation, thr. Executive Engineer
 ..VS..

Bhaurao s/o Narayan Tayade and anr.

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

Court's or Judge's orders

Mrs. U.A. Patil, Advocate for appellant.

CORAM : VINAY JOSHI, J.
DATED : 13th NOVEMBER, 2019

CIVIL APPLICATION (CAO) NO. 1270 OF 2019

This is an application for condonation of delay of 9 days caused in filing restoration application for restoration of First Appeal St. No. 26274 of 2018. The delay is hardly of 9 days and therefore considering the reasons stated in the application, delay stands condoned.

2. Accordingly, Civil Application stands disposed of.

MISC. CIVIL APPLICATION ST. NO. 10347 OF 2019

This is the appellant's application for restoration of First Appeal St. No. 26274 of 2018 which came to be dismissed for non-compliance of office objection.

2. Being aggrieved by the award passed in terms of Section 18 of the Land Acquisition Act, in L.A.C. No. 268 of 2013, this appeal came to be preferred. The office raised an objection about non deposit of requisite court fee, though it was notified that, the appellant was not able to comply within the stipulated period. Hence, vide register cancellation no. 336 of 2019, the appeal was dismissed.
3. It is informed that, learned Advocate for the appellant has received the court fee amount and she has taken out the requisite challan. She is ready to deposit the requisite court fee within one week from the date of restoration. Since, before the registration, appeal was rejected, therefore, I find no difficulty in restoration of appeal with a condition of complying the aspect of court fee within one week.
4. The First appeal be restored with condition that the appellant shall remove all office objection within one week including the objection of court fee.
5. The Misc. Civil Application stands disposed of accordingly.

JUDGE

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