

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

Civil Application (F) No.1208/2016 in FA St.No.23872/2015

Executive Engineer, Medium Project Vs. Madhukar Mirgu Rajghare and others

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

Court's or Judge's Orders.

Shri Nilesh Gaidhane, Advocate for applicant/appellant.
Shri C.R.Najbile, Advocate for respondent nos.1, 3 and 4.
Mrs. Harshada Prabhu, AGP for respondent nos.6 and 7.

CORAM : A.S.CHANDURKAR, J.

DATE : 7th January, 2019.

The applicant prays that the delay in filing first appeal be condoned. Though the prayer is opposed by the learned counsel for the respondent nos.1, 3 and 4, considering the reasons mentioned in the application, the delay in filing the appeal stands condoned.

The civil application is allowed and disposed of.

First Appeal No._____/2019

Heard.

Admit.

Call for record and proceedings.

Shri C.R.Najbile, learned counsel waives notice on behalf of legal representatives of respondent nos.1, 3 and 4 and Mrs. Prabhu, learned AGP waives notice on behalf of respondent nos.6 and 7.

To be heard with First Appeal No.64/2017.

Civil Application (O) No.1474/2018

Perused the contents of the application especially para 4 thereof. Also perused the order dated 6th September, 2017 referred to therein. Shri N.M.Gaidhane, learned

counsel for the appellant does not dispute the correctness of the statements made in para 4 of the civil application.

In that view of the matter and in the light of order dated 6th September, 2017 the claimants are permitted to withdraw 80% of the amount deposited by the appellant subject to filing of an usual undertaking within a period of **eight weeks**.

The civil application is disposed of.

JUDGE

Andurkar