

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

CIVIL APPLICATION (CAF) NO.61/2019

IN

FIRST APPEAL STAMP NO.17895/2018

Maharashtra Industrial Development Corporation, Amravati

..Vs..

Kishor Harikisan Agrawal and another

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

Court's or Judge's orders

Shri S. Thakre, Advocate for the applicant / appellant.
Shri V.P. Maldhure, A.G.P. for non-applicant / respondent No.2.

CORAM : NITIN W. SAMBRE, J.

DATED : 3.10.2019

1] Heard.

2] For the cause cited in the application, which appears to be sufficient, delay caused in preferring the appeal is condoned. Civil application is **allowed** accordingly. No costs.

FIRST APPEAL STAMP NO.17895/2018

3] Heard.

4] The learned Counsel for the appellant submits that the enhancement is based on L.A.C. No.336/1997 against which though registration is refused in First Appeal Stamp No.5774/2019 the fact remains that the said L.A.C. No.336/1997 is based on L.A.C. No.257/1997 which is of village Shivani i.e. other than the village from the land acquired in the case in hand. According to him, already appeal being First

Appeal No.45/2013 is admitted against the said judgment in L.A.C. No.257/1997. Hence, **ADMIT**.

5] Call R & P.

6] Paper book be filed within a period of six months from today, failing which the appeal shall stand dismissed without reference to Court.

7] It was assured that steps will be taken so as to get restored the First Appeal Stamp No.5774/2019 when this Court passed an order dated September 27, 2019 on C.A.F. No.496/2019 in First Appeal Stamp No.17892/2018.

8] Till date no steps are taken.

9] By way of last chance, accommodation is granted for a period of one week so as to take out the proceedings for restoration.

10] If the steps are not taken by bringing the same to the notice of the Registrar (J.), the present proceedings and F.A. Stamp No.17892/2018 both these appeals shall stand dismissed without reference to Court.

JUDGE