

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

CIVIL APPLICATION (CAO) NO. 1948 OF 2019
IN
MISC. CIVIL APPLICATION (ST) NO.18946 OF 2019
IN
FIRST APPEAL NO. 626 OF 2012

(Vidarbha Irrigation Development Corporation, through its Executive Engineer,
Lower Wardha Project Division, Wardha Vrs. Subhas Bapurao Bire & others)

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

Court's or Judge's orders.

Shri J.B.Kasat, learned counsel for the applicant.
Mrs. Ritu Kalia, learned AGP for the respondent nos.
2 and 3.

CORAM : ANIL S KILOR, J.
DATE : 28th FEBRUARY, 2020.

This is an application filed by the applicant-VIDC for condonation of delay in filing the application for restoration of First Appeal.

Shri J.B.Kasat, learned counsel for the applicant submits that there is a delay of 389 days in preferring the application for restoration of First Appeal. He submits that for non-filing of private paper book within stipulated period, the appeal was dismissed. He submits that due to oversight the steps were not taken in the present matter to file the private paper book.

Respondent nos. 1(a) to 1(c) are served.

However, none appears for the respondent nos. 1(a) to 1(c).

Mrs. Ritu Kalia, learned A.G.P. for the respondent no.2 and 3 has no objection, if the present application is allowed.

For the reasons stated in the application, the application is allowed.

Delay of 389 days in filing the application for restoration of First Appeal, is condoned.

The civil application is disposed of.

MISC. CIVIL APPLICATION (ST) NO. 18946 OF 2019

For the reasons stated in the application, the application is allowed.

Office is directed to restore the matter back to its original number on a condition that the applicant shall file the private paper book within four weeks, failing which the matter shall stand dismissed without reference to this Court.

The civil application is disposed of.

JUDGE