

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

Civil Application [CAF] No.813 of 2021
in
First Appeal St.No.3302 of 2021

Maharashtra Housing & Area Development Board
vs.

Murlidhar Dharamarao Ramchandra Tajane (Dead) through L.Rs. & others

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

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Court's or Judge's Orders

Shri Bhushan Mohata, Advocate for the Applicant-Appellant.

CORAM : S.M. MODAK, J.

DATE : 8th APRIL, 2021

Hearing was conducted through Video Conferencing and the learned Counsel agreed that the audio and visual quality was proper.

Heard.

The judgment was delivered on 29/07/2020. The appeal has to be preferred within 90 days. The Hon'ble Supreme Court as per its directions, dated 08/03/2021, passed in Suo Motu Writ Petition (Civil) No.3 of 2020, was pleased to exclude the period of limitation from 15/03/2020 to 14/03/2021. The period of 90 days in preferring the appeal has expired during this period and as such the period has to be condoned. I do not think that any notice is required to be issued. Hence, the delay of 96 days in preferring the appeal is condoned.

The application stands disposed of.

First Appeal St. No.3302/2021 :

The judgment passed by the Reference Court, dated 29/07/2020 is challenged by original non-applicant No.2.

Admit.

Issue notice to the respondents, returnable after eight weeks.

Call for record and proceedings.

Civil Application [CAF] No.814/2021:

Subject to deposit of entire decretal amount within a period of eight weeks, stay is granted to the execution of the impugned judgment and decree till final disposal of the appeal. The claimants are at liberty to ask for withdrawal.

The application stands disposed of.

JUDGE

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