

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

FIRST APPEAL (ST.) NO.13224 OF 2019

(Executive Engineer, Lower Irrigation Division, Wardha Vs. Laxman Jairam Fating & ors.)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mrs. Jaipurkar, Advocate h/f Shri B.N. Jaipurkar, Advocate for the
appellant/applicant.
Shri M.A. Kadu, Advocate for the State.

CORAM : M.S. KARNIK, J.

DATED : MAY 04, 2022.

CIVIL APPLICATION NO.306 OF 2022

This is an application for condoning the delay of 160 days in filing the application for restoration of First Appeal (St.) No.13224 of 2019.

2. The registration of the first appeal was refused on the ground that the appellant failed to remove the office objection(s).

3. For the reasons stated in the application, the application deserves to be allowed.

4. The delay in filing the application for restoration is condoned.

5. The application is allowed in terms of prayer clause (a).

MISC. CIVIL APPLICATION (ST.) NO.2172 OF 2022

This is an application for restoration of First Appeal (St.) No.13224 of 2019, the registration of which was refused for non-removal of office objection(s).

2. The order dated 17/09/2019 passed by the Registrar is set aside subject to the appellant removing all the office objections within a period of six weeks from today.

3. The miscellaneous civil application is allowed and disposed of accordingly.

CIVIL APPLICATION (ST.) NO.13225 OF 2019

This is an application for condoning the delay of 358 days in filing the appeal.

2. Issue notice to the respondents, returnable on 27/06/2022.

3. Shri Kadu, learned A.G.P. waives service of notice for respondent Nos.2 and 3/State.

CIVIL APPLICATION (ST.) NO.13226 OF 2019

Heard.

2. Issue notice to the respondents, returnable on 27/06/2022.

3. Shri Kadu, learned A.G.P. waives service of notice for respondent Nos.2 and 3/State.

4. As the learned counsel for the appellant on instructions submits that the appellant is willing to deposit the balance decretal amount in this Court within a period of three months from today, the impugned Judgment and Award dated 02/04/2018 passed by the Civil Judge, Senior Division, Wardha shall remain stayed.

5. The statement is accepted.