

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

Civil Application (CAO) No.1137 of 2019

In

Commercial Appeal (Stamp) No.9370 of 2018

M/s. Chirag Sanditext Pvt. Ltd., Mumbai

Versus

Maharashtra State Mining Corporation Limited and another

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

Shri S.R. Charpe, Advocate for Applicant/Appellant.

Shri N.R. Nebhani, Advocate for Respondent No.1.

CORAM : SUNIL B. SHUKRE & ANIL L. PANSARE, JJ.

DATE : 20th OCTOBER, 2022

1. Heard.
2. Although there is an objection to this application raised on behalf of the respondent No.1, we find that the right being exercised by the appellant is in the nature of filing of the First Appeal, which is required to be adjudicated upon it's own merits by advertng to the questions of fact and also law and, therefore, we are of the view that this application deserves to be allowed.
3. The civil application is, therefore, allowed and disposed of.
4. The Appeal be registered.

Commercial Appeal (Stamp) No.9370 of 2018 :

1. **Admit.**
2. The learned counsel for the respondent No.1 waives service of notice on merits.
3. Put up this appeal for expedited hearing in the first week of December, 2022.