

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

MISC. CIVIL APPLICATION NO.203 OF 2023
IN
FIRST APPEAL NO.1636 OF 2019

The Executive Engineer, Bembla Project Division, Yavatmal

Vs.

Vijay Vasantrya Hazare and others

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

Court's or Judge's orders

Mr. Vinay Rathi, Advocate h/f Mr. P. B. Patil, Advocate for the appellant.
Mr. S. S. Bhalerao, Advocate for the respondent No.1.
Ms. T. Udeshi, AGP for respondent Nos.2 and 3.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 21/02/2023

1. This application is for restoration of First Appeal which is dismissed for want of paper book on 15.1.2023.
2. Learned Advocate Mr. Bhalerao, waives notice for respondent No.1.
3. Learned AGP waives notice for respondent Nos.2 and 3.
4. The appeal is dismissed, in view of the order passed by this Court on 1.12.2022, by which appellant was directed to file paper book within six weeks. As the paper was not filed within six weeks, appeal is dismissed. As per the contention of the appellant, the appellant could not get the relevant documents which are necessary for preparation for paper book, and therefore

paper book was not filed within six weeks. Now, paper book is ready and he will file the paper book forthwith.

5. Learned Advocate for the respondent No.1 as well as learned AGP for the respondent Nos.2 and 3 have no objections for restoration of the application.

6. In view of the reasons mentioned in the application, on furnishing the paper book and copies of the same to the respondents, the appeal be restored at its original stage.

7. Civil Application is disposed of.

First Appeal No.1636 of 2019

1. Appeal be placed for final hearing after paper book is filed and its verification.

2. At the request of the learned Advocate for the appellant three days' time is granted to file the paper book.

(URMILA JOSHI-PHALKE, J.)

Sarkate