



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

MISC. CIVIL APPLICATION (RESTO.) NO. 677 OF 2023

IN

CIVIL APPLICATION (CAO) NO. 725 OF 2020

IN

MISC. CIVIL APPLICATION (ST.) NO. 12445 OF 2020

IN

REJ. ARBITRATION APPEAL NO. 390 OF 2019

(A. A. (ST.) NO. 4843/2019)

MAHARASHTRA STATE ELECTRICITY TRANSMISSION COMPANY LIMITED, THR. ITS CHIEF OFFICER, AMRAVATI & ANR.

...VERSUS...

M/S. AKD ASSOCIATES, NAGPUR THR. ITS PARTNER, SHRI ASHOK SHIMAN

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

Court's or Judge's order

Shri S.D.Zoting, Advocate for appellants/applicants.

CORAM : SMT. M. S. JAWALKAR,J.

DATE : 26th SEPTEMBER, 2023

The present application is filed by the appellants for setting aside order of dismissal dated 23/06/2023.

2. It appears that this Court while condoning the delay on 28/04/2023 directed to deposit the costs of Rs. 26,000/- with the High Court Bar Association, Nagpur, within a period of 15 days from the passing of order i.e. from 28/04/2023.

3. The learned counsel for the appellants has placed on record Pursis (St.) No. 03/2023 along with receipt of payment of costs of Rs. 26,000/-. The amount is deposited on 11/05/2023, is within the time prescribed by this Court vide order dated 28/04/2023. However, the Pursis regarding payment of costs remained to be placed on

record or before the Office and the application for condonation of delay had been rejected on 23/06/2023. In view thereof, learned counsel for the appellants is requesting for setting aside the dismissal order dated 23/06/2023 and to restore the matter on its original number.

4. The Pursis (St.) No. 03/2023 is taken on record along with receipt of deposit of costs of Rs. 26,000/- with the High Court Bar Association, Nagpur.

5. As such, in view of the order dated 28/04/2023, the Registry is directed to restore Arbitration Appeal (St.) No. 4843/2019 to its original number.

6. List the matter for further consideration on 20/10/2023.

(Smt. M.S. Jawalkar, J.)

B.T.Khapekar