



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

MISC. CIVIL APPLICATION NO.315/2022

IN

CIVIL APPLICATION (CAW) NO. 418/2020

IN

WRIT PETITION NO. 4391/2017 (D)

Vidya Vikas Mandal & Anr. Vs. Rajani Wamanrao Hemke & Ors.

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. R.L. Khapre, Senior Advocate for Applicants
Mrs. U.A. Patil, Advocate for Respondent No.1

CORAM: BHARAT P. DESHPANDE, J.

DATED : 8th MARCH, 2024

The learned counsel for the parties now invited attention of this Court to the order dated 19/01/2024 passed in M.C.A. No. 315/2022. The said order reads thus :

“The present application No.315/2022 is filed for restoration of the writ petition. It is noted that by an order dated 18.12.2021 passed on Civil Application No.418/2020, the restoration was already directed by recalling the order dated 02.08.2019 in Writ Petition No.4391/2017 on the condition, of deposit of Rs.10,00,000/- (Rupees Ten Lakhs), within 30 days, failing which, it was stated that the order of dismissal of the petition dated 02.08.2019 would stand revived. Since there was some delay in depositing the said amount, this Court by an order dated 17.11.2022 has extended the time and permitted the petitioner to deposit the amount of Rs.10,00,000/- as directed by the order dated 18.12.2021.

2. Mrs Patil, learned Counsel for non-applicants do not dispute that the amount was received by the respondents. In that view of the matter, it is apparent that the order dated 18.12.2021 stands revived, in view of which, it has to take effect. No further orders are required in this application. 3. Office to list this matter before the appropriate bench.”

2. In view of the above order, MCA No. 315/2022 is already disposed of and Writ Petition No.4391/2017 is restored.

3. Accordingly, office is directed to record that MCA No. 315/2022 stands disposed of and list W.P. No.4391/2017 for further consideration on 3rd April, 2024.

(BHARAT P. DESHPANDE, J.)