



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

CIVIL APPLICATION (CAO) NO.659 OF 2021 IN
MCA ST. NO.11319 OF 2020 IN
FIRST APPEAL NO.921 OF 2017

Executive Engineer, Minor Irrigation Department .Vs. Sudhakar Punjabrao Bhoge
and others

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

Court's or Judge's Order

Ms A.S. Athalye, Advocate for appellant.
Shri P.P. Pendke, A.G.P. for respondents/State.

CORAM : SANJAY A. DESHMUKH, J.
DATED : 12/09/2024

1. This is an application for condonation of delay of 493 days caused for filing application for restoration of appeal which was dismissed for not filing of paper book within a time.
2. Heard learned advocates for both sides.
3. Perused the application.
4. Considering peculiar set of facts and the delay is not deliberately caused, the application deserves to be allowed in the interest of justice. The application is **allowed**. Delay of 493 days caused for filing appeal is condoned.
5. Application is **allowed** and **disposed of**.

MCA ST. NO.11319 OF 2020

6. This is an application for restoration of first appeal No.921 of 2017.

7. Heard learned advocates for both sides.
8. Perused the application.
9. The appeal was dismissed for not filing of paper book within a time. The learned advocate for the appellant submits that, paper book can be filed within a week. Considering the submission, the application deserves to be allowed in the interest of justice.
10. The application is allowed subject to filing of paper book within a week. If the paper book is not filed within a week, the application shall be rejected without further orders.

(SANJAY A. DESHMUKH, J.)