



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

CIVIL APPLICATION (CAO) NO. 920 OF 2024
IN
MISC. APPLICATION (ST.) NO. 14092 OF 2024
IN
FIRST APPEAL NO. 139 OF 2020 (D)

VIDARBHA IRRIGATION DEVELOPMENT CORPORATION THR. THE EXECUTIVE ENGINEER, WARDHA PROJECT DIV.,
WARDH

-Vs.-

SHRI. NARAYAN S/O TUKARAM GHURATKAR AND OTHERS

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

Court's or Judge's Order

Shri T.M. Zaheer, Advocate for appellants.

Shri C.R.Najbile, Advocate for respondent no. 1.

Ms. D.I.Charlewar, AGP for respondent nos. 2 and 3/State.

CORAM : SANJAY A. DESHMUKH, J.
DATED : 02/08/2024

The present application is filed for condonation of delay of 480 days caused in preferring the application for restoration of appeal.

2. Issue notice to the respondents.
3. Shri C.R.Najbile, learned Advocate waives notice for respondent no. 1.
4. Ms. D.I.Charlewar, learned AGP waives notice for respondent nos. 2 and 3/State.
5. Perused the application.
6. Heard learned Advocates for the both sides.

7. For the reasons stated in the application, the application deserves to be allowed in the interest of justice. As such, the application is allowed. Delay in preferring the application for restoration of appeal is hereby condoned.

8. Accordingly, the application stands disposed of.

MISC. APPLICATION (ST.) NO. 14092 OF 2024

This is an application for restoration of appeal which was dismissed for non-filing of paper book.

2. Issue notice to the respondents.
3. Shri C.R.Najbile, learned Advocate waives notice for respondent no. 1.
4. Ms. D.I.Charlewar, learned AGP waives notice for respondent nos. 2 and 3/State.
5. Perused the application.
6. Heard learned Advocates for the both sides.
7. For the reasons stated in the application, the application deserves to be allowed in the interest of justice as prayed for. As such, the application is allowed.
8. Registry is directed to register the appeal to its file.
9. Accordingly, the application stands disposed of.

FIRST APPEAL NO. 139 OF 2020

The learned Advocates for the appellant and the respondents submit that it is not necessary to file paper book and the appeal can be decided on the basis of R & P.

2. Considering this fact, the filing of paper book is dispensed with.
3. Call R & P.
4. Stand over after seeks weeks.

(SANJAY A. DESHMUKH, J.)

B.T. Khapekar