



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

CIVIL APPLICATION (CAO) NO.993 OF 2024

IN

XOB. ST. NO. 16965 OF 2023

IN

FIRST APPEAL NO. 457 OF 2019

MOTICHAND JIVRAJ SHAH (DEAD) THROUGH HIS LEGAL REPRESENTATIVE AND
ANOTHER

Vrs.

THE MAHARASHTRA INDUSTRIAL DEVELOPMENT CORPORATION AND ANOTHER

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

Court's or Judge's Order

Shri R. J. Shinde, Advocate for Cross-Objector.

Shri S. D. Umredkar, Advocate h/f Shri A. C. Jaltare, Advocate for
respondent No.1.

Shri M. A. Kadu, AGP for respondent-State.

CORAM: SANJAY A. DESHMUKH, J.

DATE : 18/12/2024.

1. This is an application for condonation of delay of 722 days caused for filing the cross-objection.
2. Perused the application.
3. Heard learned Advocates for both sides.
4. On perusal of the application, it appears that delay is not deliberately caused. To decide the controversy on merit, application deserves to be allowed. Delay of 722 days caused for filing the cross-objection is condoned.
5. Application is allowed and disposed of.
Cross-Objection St.No.16965 of 2023
6. Issue notice to the respondents.

7. Shri A. C. Jaltare, learned advocate waives service of notice for respondent No.1 – MIDC.

8. Shri M. A. Kadu, learned AGP waives service of notice for respondent-State.

9. Stand over to 17/01/2025.

CIVIL APPLICATION (CAF) NO.2255 OF 2024

10. This is an application for withdrawal of 25% amount. Already 75% amount is withdrawn.

11. Application, therefore, deserves to be rejected.

12. Application is rejected and disposed of.

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13. Learned advocate for the appellant submits that paper book is ready.

14. Considering the fact that the appeal is pending since 2019, it would be proper to expedite the appeal with directions to the appellant to file paper book within two days.

15. Registry is directed to accept the paper book.

16. Appeal be fixed for final hearing on 17/01/2025.

[SANJAY A. DESHMUKH, J.]