



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

CIVIL APPLICATION (CAO) NO. 988 OF 2024

IN

MCA ST. NO.14618 OF 2024

IN

FIRST APPEAL NO. 1001 OF 2017 (D)

EXECUTIVE ENGINEER, UPPER WARDHA PROJECT (VIDARBHA BRANCH), TAH. & DIST.
AMRAVATI

Vrs.

VIJAY ANNAJI INGALE 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 Abhijeet Parihar, Advocate for applicant/appellant.
Shri S. C. Joshi, AGP for respondent Nos.6 and 7.

CORAM: SANJAY A. DESHMUKH, J.

DATE : 12/12/2024.

1. This is an application for condonation of delay of 853 days caused for filing application for restoration of the appeal, which was dismissed for non-filing of paper book.
2. Perused the application.
3. Heard learned Advocates for both sides.
4. Considering the reasons stated in the application and submission of learned advocate for the applicant that the paper book is ready and it will be filed within eight days, application deserves to be allowed as the delay is not deliberately caused in the interest of justice.

5 The application is allowed. Delay of 853 days caused for filing the application for restoration of appeal is condoned subject to filing of paper book within eight days.

6. If the paper book is not filed within eight days, the application shall be deemed to be rejected.

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7. For the reasons stated in the application and submission of the learned advocate for the applicant that the paper book is ready and it will be filed within eight days.

8. Application is allowed as under :-

i] Application is allowed subject to condition that the paper book shall be filed within eight days.

ii] If the paper book is not filed within eight days, application shall be deemed to be rejected.

9. Application is disposed of.

[SANJAY A. DESHMUKH, J.]