



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

CIVIL APPLICATION (CAF) NO. 1321 OF 2023
IN
FIRST APEAL ST. NO. 20025 OF 2022
V.I.D.C. THRU. EXE.ENGR., BEMBLA PROJECT, YAVATMAL
VERSUS
GAJANAN SADASHIVRAO MAHINDRE 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. Gargi Bhai, Advocate h/f Ms. A. S. Athalye, Advocate for the
appellant.
Mr. A. B. Nakshane, Advocate for respondent nos. 1 to 4
Mr. A. G. Mate, A.G.P. for respondent nos.5 and 6

CORAM : M. W. CHANDWANI, J.
DATE : SEPTEMBER 24, 2025.

1. Heard.
2. This is an application for condonation of delay of 123 days caused in filing the First Appeal.
3. Having considered the grounds mentioned in the application explaining the delay and the submissions of the respective counsels, the delay of 123 days caused in filing the appeal is condoned.
4. The application is allowed and disposed of.
5. The appeal be registered.

Civil Application (CAF) No. 3448 of 2025

1. This is an application filed by respondent nos.1 to 4 seeking permission for withdrawal of the amount.
2. In view of the reasons mentioned in the memo of appeal and the submissions of the learned counsel for the

respondent no.1, 75% amount out of the total decretal amount deposited by the appellant is permitted to be withdrawn by respondent nos.1 to 4 in equal proportion with accrued interest thereon. Out of the said amount, 50% is permitted to be withdrawn on furnishing usual undertaking and 25% is permitted to be withdrawn on furnishing solvent surety in the like amount.

3. The application is allowed and disposed of in the aforesaid terms.

(M.W.Chandwani, J.)

Diwale