

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

C.A. NO. 11739/2014 IN FAST NO. 29949/2014
AND

C.A. NO. 11740/2014 IN FAST NO. 29949/2014
(The Executive Engineer, Civil M.S.E.D.C.L.,
Osmanabad Vs. Mallikarjunappa Mahalingappa
Warad, Since deceased, through his L.Rs.)

Mr. Dhananjay P. Deshpande, Advocate for the applicant
in both applications

Mr. S.P. Daund, A.G.P. for the respondent/State

CORAM : M.T. JOSHI, J.

DATE : 20/02/2015

ORAL ORDER :

1. Heard learned counsel for the applicant and learned A.G.P. None appears for rest of the respondents though duly served.

2. For the reasons stated in the application (C.A. No. 11739/2014), the delay caused in filing the first appeal is condoned. The application is accordingly allowed, without any order as to costs. The office to register the first appeal.

3. Upon registration of the appeal, appeal stands **admitted**. Print of the paper-book is dispensed with.

Learned A.G.P. waives for respondents No. 4 and 5 after admission of the appeal.

4. As regards civil application No. 11740/2014, for grant of stay, Mr. Deshpande, learned counsel for the applicant submits that as per the interim directions, the entire amount under the impugned award is already deposited. In the circumstances, interim stay to the execution of the impugned award, granted by this Court earlier, is hereby made absolute on the same terms and conditions. The application accordingly stands allowed and disposed of.

[M.T. JOSHI]
JUDGE

npj/ca11739-14