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

CIVIL APPLICATION (CAF) NO.1906 OF 2014
IN
FIRST APPEAL STAMP NO.2063 OF 2014
(Vidarbha Irrigation Development Corporation, through Executive Engineer ..vs.. Baban Balwanta Shingne and others)

Office Notes, Office Memoranda of Coram, appearances, Court's orders of directions and Registrar's orders	Court's or Judge's orders

CORAM : Z.A. HAQ, J.
DATED : 03-03-2015

Heard Shri Abhijit Parihar, the learned Advocate for the applicant, Shri K.S. Narwade, the learned Advocate for the non-applicant No.1 and Smt. A.R. Taiwade, the learned Assistant Government Pleader for the non-applicants 2 and 3.

For the reasons stated in the application and the fact that it is not opposed by the non-applicants inasmuch as reply is not filed by the non-applicants, the delay of 28 days in filing the appeal is condoned. The civil application is disposed of.

FIRST APPEAL STAMP NO.2063 OF 2014.

Taken up on board for admission by the consent of the learned Advocates for the respective parties.

Admit.

Shri K.S. Narwade, the learned Advocate waives

service of notice for the respondent No.1.

Smt. A.R. Taiwade, the learned A.G.P., waives service of notices for the respondents 2 and 3.

Civil Application (CAF) No. 1907 of 2014.

The learned Advocates for the respective parties submit that in the connected appeals arising out of the same order which is challenged in this appeal, this Court has permitted the respondent – land owner to withdraw 50% of the amount deposited by the appellant on furnishing surety to the satisfaction of the Reference Court and balance 50% of the amount is permitted to be withdrawn on filing an undertaking to the satisfaction of the Reference Court that in case the appeal is allowed, the respondent shall repay the amount withdrawn by him with interest as would be determined by the Court, within the stipulated time. The respondent No.1 is permitted to withdraw the amount in the above terms.

Civil Application (CAF) NO.85/2015.

In view of the order passed on Civil Application No.1907/2014, no orders are required on this application.

JUDGE

pma