

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

**CIVIL APPLICATION (CAF) NO. 1904 OF 2014**

**IN**

**FIRST APPEAL ST. NO.2085 OF 2014**

(VIDARBHA IRRIGATION DEVELOPMENT CORPN THR. EE..VS..JANKIRAM SHRIPAT SHINGNE  
 (DEAD) THR. LRS PUNDLIK JANIKIRAM SHINGNE (DEAD) THR. LRS & OTH.)

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

**CORAM : Z.A.HAQ, J.**

**DATED : MARCH 10, 2015.**

Heard Mr.Abhijit Parihar, learned advocate for the applicant, Mr.K.S.Narwade, learned advocate for non-applicant Nos. 1(a) to 1(c) and Ms A.R. Taiwade, learned A.G.P. for non-applicant Nos. 3 and 4.

For the reasons stated in the application and the fact that the application is not opposed by the non-applicants inasmuch as reply is not filed by the non-applicants, the delay of 27 days in filing the appeal is condoned.

The Civil Application is disposed of.

**FIRST APPEAL ST.NO. 2085/2014.**

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

**ADMIT**

Mr. K.S. Narwade, learned advocate waives notice for respondent Nos. 1 (a) to 1(c) and Ms A.R. Taiwade, learned A.G.P. waives notice for respondent Nos. 3 and 4.

The appellant shall file private paper book till 20<sup>th</sup> November, 2015.

**C.A.F. NO.1905/2014 & C.A.F. NO. 84/2015.**

These applications are for grant of stay and for permission to withdraw the amount, by the respective parties.

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 respondents-owners 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on furnishing surety to the satisfaction of the Reference Court and balance 50% of the amount is permitted to be withdrawn on filing an undertaking to the satisfaction of the Reference Court that in case the appeal is allowed, the respondents shall repay the amount withdrawn by them with interest as would be determined by the Court, within the stipulated time. The respondent Nos. 1(a) to 1(c) are permitted to withdraw the amount in the above terms.

With the above modifications, the ad-interim order granted by this Court on July 25, 2014 shall continue until further orders.

Both the Civil Applications are disposed of in the above terms.

**JUDGE**