

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

FIRST APPEAL NO.1090 OF 2013

(V.I.D.C., through Executive Engineer, Bembala Project Division, Yavatmal ..vs.. Shrikrishna Shamraoji Ghaye and others)

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

Court's or Judge's orders

Shri S.G. Jagtap, Advocate for the appellant,
Shri Nakshane, Advocate for the respondent Nos.1 to 4,
Smt. B.P. Maldhure, A.G.P. for the respondent Nos.5 & 6.

CORAM : Z.A. HAQ, J.

DATED : 06-1-2015

Heard Shri S.G. Jagtap, the learned Advocate for the appellant, Shri Nakshane, the learned Advocate for the respondent Nos.1 to 4 and Smt. B.P. Maldhure, the learned Assistant Government Pleader for the respondent Nos.5 and 6.

Admit.

Shri Nakshane, the learned Advocate, waives service of notices on behalf of the respondent Nos.1 to 4.

Smt. B.P. Maldhure, the learned Assistant Government Pleader, waives service of notices on behalf of the respondent Nos.5 and 6.

Civil Application (CAF) No.1989 of 2012.

This Court by the order dated 06-9-2013 granted interim order on condition that the appellant shall deposit 75% of the amount as per the Award till 30-10-2013. In spite of several orders extending the date

for depositing the amount, the appellant has not deposited the amount. In view of this, the civil application is dismissed.

The Executive Director of the appellant-Vidarbha Irrigation Development Corporation shall enquire as to why the amount as directed by this Court has not been deposited. If it is found that there is deliberate and willful default on the part of the concerned authority in taking steps to deposit the appropriate amount, then the appellant-Vidarbha Irrigation Development Corporation is granted liberty to file appropriate application praying for interim order.

JUDGE

pma