

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

8 CIVIL APPLICATION NO. 701 OF 2016
IN FAST/672/2016 WITH CA/702/2016 IN FAST/672/2016 WITH
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FAST/676/2016 WITH CA/705/2016 IN FAST/676/2016 WITH
CA/706/2016 IN FAST/676/2016

THE EXECUTIVE ENGINEER, LOWER TERNA CANAL DIVISION
NO.2, LATUR THR GMIDC, AURANGA
VERSUS
DEVAJI SHANKAR MUKTAPURE AND OTHERS

...
Advocate for Applicant : Bhalerao Sudhir G.
AGP for Respondent Nos. 3 & 4 : K.N. Lokhande
Advocate for Respondent No. 1 : Mahesh S. Patil
...

CORAM : T.V. NALAWADE, J.
DATED : 27th January, 2016.

ORDER :

1. Heard both the sides in applications filed for delay condonation and applications filed for transposing. Learned counsel Shri. M.S. Patil submits that he is representing the original claimants. In view of the contents of the applications and submissions made by the Acquiring Body, this Court holds that sufficient cause is shown. Applications filed for delay condonation are allowed. Delay is condoned. Similarly applications filed for transposing the respondents as prayed as co-applicants are allowed. These applications are filed by Head Office as Head Office wants to join as appellant. Amendment is to be carried out immediately first in delay condonation

applications. Similar amendment is to be made in the remaining applications filed for stay and in appeal memos.

2. In stay applications, heard the learned counsel for Acquiring Body. This Court holds that stay can be granted subject to deposit of entire amount of compensation within ten weeks from today. In those terms the applications filed for stay are allowed and disposed of. If the amount is not deposited within this period, it is to be treated that there is no stay.

3. Notice in appeals. Learned counsel M.S. Patil waives notice for original claimants. AGP waives notice for respondent nos. 3 and 4. Call record and proceedings. Stand over to 8.6.2016.

[T.V. NALAWADE, J.]

SSC/