

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**Civil Application No.1019 of 2016
With
Civil Application No.1020 of 2016
In
First Appeal Stamp No. 38013 of 2015**

Executive Engineer,
Lower Dudhna Project Division,
Sailu & Others.

.. Applicants.

Versus

Indirabai w/o Janardhan Mirge.

.. Respondent.

Shri. B.R. Surwase, Advocate, for applicant No.1.

Shri. C.V. Dharurkar, Assistant Government Pleader, for
applicant Nos.2 and 3.

Shri. D.M. Kakade, Advocate, for respondent.

CORAM: T.V. NALAWADE, J.

DATE : 29th JANUARY 2016

ORDER:

1) Notice on delay condonation application. It is
waived by learned counsel for the respondent-claimant.
Heard learned counsel for the applicants.

2) In view of the contentions made in the application and the submissions made, this Court holds that sufficient cause is shown. So, Civil Application No. 1019 of 2016 is allowed. Delay is condoned.

3) Heard learned counsel for the applicants for the purpose of admission of the appeal. Submission is made that other connected appeals are already admitted. So, the appeal is admitted. Notice after admission, it is waived by learned counsel for the respondent. Call record and proceeding.

4) Heard learned counsel on stay application. Seen the judgment and award. This Court holds that stay needs to be granted subject to condition of deposit of the entire amount of compensation within (8) weeks from today. If the amount is not deposited within the stipulated period it is be presumed that there is no stay to the judgment and award. In those terms, Civil Application No. 1020 of 2016 is allowed and disposed of.

Sd/-
(T.V. NALAWADE, J.)

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