

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

CIVIL APPLICATION (F) NO.2571 OF 2016

IN

FIRST APPEAL STAMP NO.5274 OF 2016

(Executive Engineer, Lower Wardha Project ..vs.. Gowardhan s/o Girdharilal Agrawal 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 : 27-09-2016

Heard Shri C.A. Babrekar, Advocate holding for Shri Anoop Parihar, Advocate for the applicant/appellant, Shri S.D. Chopde, Advocate for the non-applicant/respondent No.1 and Ms. S.Z. Haider, Assistant Government Pleader for the non-applicant/respondent Nos.2 to 4.

Accepting the reasons stated in the application and as the application is not opposed by the non-applicants/respondents who have put in *suo motu* appearance, the delay of 243 days in filing appeal is condoned.

The civil application is allowed.

First Appeal Stamp No.5274 of 2016.

The appeal is taken up for hearing on admission.

Admit.

Call record and proceedings.

The appellant shall file private paper-book within

six months.

Shri S.D. Chopde, Advocate waives notice for the respondent No.1.

Ms. S.Z. Haider, Assistant Government Pleader waives notices for the respondent Nos.2 to 4.

Civil Application No.2572/2016.

Notice, returnable on 10-01-2017.

Shri S.D. Chopde, Advocate waives notice for the non-applicant/respondent No.1.

Ms. S.Z. Haider, Assistant Government Pleader waives notices for the non-applicant/respondent Nos.2 to 4.

If the amount as per the impugned award is deposited with the registry of this Court within three months, the execution proceedings shall stand stayed.

If the amount is not deposited within three months, the claimant will be at liberty to proceed with the execution.

JUDGE

adgokar

CERTIFICATE

I certify that this Order uploaded is a true and correct copy of original signed Order.

Uploaded by : P.M. Adgokar.

Uploaded on : 28-09-2016.

P.A. to Hon'ble Judge.