

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

Civil Application [CAF] No.2329 of 2014
in
First Appeal Stamp No.10102 of 2014

(V.I.D.C., through Executive Engineer

vs.

Surabai Narayanrao Virkhede [died] through L.Rs. and others)

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*Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.*

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Court's or Judge's Orders

*Shri A.S. Agrawal, Adv. h/f Shri P.B. Patil, Adv. for Appellant.
Shri M.P. Kariya, Adv. for Respondent Nos.1(a) to 1(j).
Shri M.M. Ekre, A.G.P. for Respondent Nos.2 and 3.*

CORAM : R.K. DESHPANDE, J.

DATE : JANUARY 6, 2016.

Heard.

After going through the averments made in the application, which remains uncontroverted, I am satisfied that the leave is required to be granted to file the appeal.

Hence, the application is allowed and disposed of as such.

Civil Application [CAF] No.2330 of 2014 :

The notices were issued in this matter to the respondents. They are all served. No reply is filed. The delay caused of 669 days is on the ground of procedural aspect. The same can be condoned and the respondents-claimants can be compensated by payment of costs.

Hence, in this matter, the appellant shall pay costs of Rs.3,000/- to the claimants. The delay caused is condoned. The civil application stands disposed of.

First Appeal Stamp No.10102/2014 :-

Heard.

ADMIT.

Shri Kariya, the learned Advocate waives service for respondent Nos.1(a) to 1(j) and Shri Ekre, the learned Assistant Government Pleader waives for respondent Nos.2 and 3.

Call for record and proceedings.

Civil Application [CAF] No.2331 of 2014 :

The appellant has deposited the entire decretal amount in this Court. Hence, the interim order passed by this Court shall continue to operate pending the decision of the appeal.

The civil application stands disposed of.

JUDGE

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