

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

CIVIL APPLICATION (CAF) NO.2101 OF 2016

IN

FIRST APPEAL NO.1052 OF 2014

(Executive Engineer (VIDC), Medium Project Division, Nagpur ..vs.. Bhaurao Govindrao Chavan 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 V.G. Palshikar, Advocate for the applicant/appellant,
Mrs. A.R. Kulkarni, AGP for the respondent Nos.4 to 6.

CORAM : Z.A. HAQ, J.

DATED : 21-10-2016

In the appeal, the award passed by the reference Court on 22-12-2011 is challenged. The appeal is filed on 04-10-2012 after the prescribed period of limitation and as there was delay in filing the appeal, an application praying for condonation of delay was filed. This Court condoned the delay by the order dated 05-08-2014. The appeal was listed for admission on 13-02-2015 on which date order is passed admitting the appeal. This application praying for stay to the execution of the impugned award is filed on 24-06-2016 i.e. after almost four and half years. This Court passed an order on 04-07-2016 granting interim order on condition that the amount of compensation should be deposited within eight weeks. The amount of compensation is not deposited. The learned Advocate for the applicant/appellant states that as per his

instructions, the amount will be deposited within four weeks. There is no application for extension of time as fixed by this Court by the order dated 04-07-2016.

The manner in which the applicant/appellant is dealing with the matter shows its insensitivity and negligence to matters involving public money. I am constrained to make these observations as this has not happened for the first time but it is happening in several cases.

The civil application stands dismissed.

The respondents/claimants will be at liberty to proceed with the execution.

The applicant/appellant shall deposit Rs.25,000/- (Rupees Twenty Five Thousand) with the High Court Legal Services Sub-Committee, Nagpur and produce receipt on the record of this appeal within two months for its negligence in prosecuting the matter.

JUDGE