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

Civil Application (CAF) No.2980 of 2015
In
First Appeal Stamp No.19305 of 2015
(The Executive Engineer, Lower Wardha Canal Division, VIDC, Wardha v. Deepak Vithoba Jaipurkar and others)

Office Notes, Memoranda of Coram, appearances, Court's orders or directions and Registrar's order	Court's or Judge's orders

Shri S.S. Godbole, Advocate for Applicant/Appellant.
Ms Vaishali Rajkarne, Advocate, holding for Shri Vivek Awachat, Advocate for Respondent Nos.1 and 2.
Shri H.R. Dhumale, AGP for Respondent Nos.3 and 4.

Coram : R.K. Deshpande, J.
Date : 22nd March, 2016

Civil Application (CAF) No.2980 of 2015 :

This is an application for condonation of 157 days of delay caused in filing an appeal under Section 54 of the Land Acquisition Act, 1894.

The reasons mentioned in the application are strongly opposed by the respondent Nos.1 and 2 by filing reply, stating that no sufficient cause is made out for condonation of delay.

After hearing the learned counsels appearing for the parties and after going through the averments made in the application, I do not find that there is any lack of bona fides on the part of the applicant. The respondent Nos.1 and 2 can be compensated by payment of costs.

In view of above, the civil application is allowed. The delay caused is condoned. The applicant to pay the costs of Rs.1,000/- to the respondent Nos.1 and 2.

The civil application is disposed of.

First Appeal Stamp No.19305 of 2015 :

Heard the learned counsels for the parties on the merits of the matter.

Admit.

Respective counsels waive service of notice.

Call for R & P.

The learned counsel for the appellant submits that the cheque is ready with him for depositing the amount in this Court.

Hence, the appellant is permitted to deposit the amount in this Court within a period of three weeks from today.

The interim order passed by this Court shall continue to operate pending the decision of the appeal.

Judge.

Lanjewar