

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

CIVIL APPLICATION (F) NO.215 OF 2015

IN

FIRST APPEAL STAMP NO.21237 OF 2014

(The Executive Engineer, Medium Project Division, VIDC, Gondia ..vs.. Bharatlal Tulsiram 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

CORAM : Z.A. HAQ, J.

DATED : 02-09-2016

Heard Shri S.G. Jagtap, Advocate for the applicant/appellant.

There is delay of 420 days in filing the appeal. The explanation is given in paragraph No.2 of the application.

Though the application is opposed by the respondent Nos.3 and 4 and though the relevant details are not given in the explanation given by the appellant, the delay in filing the appeal is condoned, however, on condition that the appellant pays costs of Rs.10,000/- to the respondent No.3 and Rs.10,000/- to the respondent No.4 within two months.

In paragraph No.2 of the application, it is stated that the certified copy of the impugned award was received by the applicant-appellant on 12-06-2013 and proposal for taking further steps was moved on 11-10-2013. It is not explained as to why four months'

time was required to move the proposal. It is further stated that the proposal was examined by the superior hierarchy on 15-01-2014. Again it is not explained why more than three months' time was required to examine the proposal. The costs of Rs.20,000/- to be paid by the appellant shall be recovered from the concerned officials who had not been diligent in pursuing the matter.

The civil application is disposed in the above terms.

First Appeal Stamp No.21237 of 2014.

The appeal is taken up for hearing on admission.

Admit.

Call record and proceedings.

Shri M.A. Kadu, Assistant Government Pleader waives notice for the respondent Nos.7 and 8.

Civil Application (f) No.216 of 2015.

The learned Advocate for the appellant states that the entire amount is deposited with the Registry of this Court.

Accepting the statement, it is directed that the interim order granted on 27-03-2015 shall continue, until further orders.

The civil application is allowed in the above terms.

JUDGE

CERTIFICATE

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

Uploaded by : P.M. Adgokar.

Uploaded on : 02-09-2016.

P.A. to Hon'ble Judge.