

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

Civil Application (CAF) No.1380 of 2014

In

First Appeal Stamp No.23135 of 2013

(VIDC, through its Executive Engineer, Minor Irrigation Division, Washim v.
Madhav Shankar Marathe and others)

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

Shri V.G. Palshikar, Advocate for Applicant/Appellant.
Ms N.P. Mehta, AGP for Respondent Nos.2 and 3.

Coram : R.K. Deshpande, J.

Date : 9th March, 2016

Civil Application (CAF) No.1380 of 2014 :

This civil application is for grant of leave to file appeal.

The appellant-VIDC is the acquiring body and was not joined as the party-respondent in the reference before the Reference Court.

Notice was issued on 4-2-2015. All the respondents are served. No reply is filed. The application is not opposed. After going through the contents of the application, which remained uncontroverted, I am satisfied that a sufficient cause is made out for grant of leave to file appeal.

Hence, the civil application is allowed and disposed of.

Civil Application (CAF) No.1381 of 2014 :

Issue notice to the non-applicants, returnable on 29-6-2016.

Ms N.P. Mehta, the learned AGP, waives service of notice for the non-applicant Nos.2 and 3.

The non-applicant No.1 be served by RPAD in addition to regular mode.

Civil Application (CAF) No.1382 of 2014 :

There shall be stay in terms of the prayer clause of this civil application, which shall continue to operate pending the decision of this appeal.

The applicant/appellant to deposit the entire decretal amount in this Court within a period of twelve weeks from today; failing which this civil application for stay shall stand dismissed without reference to the Court.

Judge.

Lanjewar