

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

**CIVIL APPLICATION (CAF) NO.1402 OF 2016**

**IN**

**FIRST APPEAL (STAMP) NO.25044 OF 2015**

(Amravati University, Amravati now Sant Gadge Baba Amravati University ..vs.. Sau. Nimabai w/o  
Vijay Band (dead) through L.Rs. and others)

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

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Shri S.G. Loney, Advocate for the appellant,  
Shri J.J. Chandurkar, Advocate for the respondent Nos.1(A) to 1(C),  
Shri M.A. Kadu, AGP for the respondent Nos.2 and 3.

**CORAM : Z.A. HAQ, J.**

**DATED : 26-10-2016**

Heard.

Accepting the reasons stated in the application,  
delay of 8 days in filing the appeal is condoned.

The civil application is allowed.

**First Appeal (Stamp) No.25044/2015.**

The appeal is taken up for hearing on admission.

**Admit.**

Call record and proceedings.

The appellant shall file private paper-book within  
six months.

Shri J.J. Chandurkar, Advocate waives notice for  
the respondent Nos.1(A) to 1(C).

Shri M.A. Kadu, Assistant Government Pleader  
waives notice for the respondent Nos.2 and 3.

The appellant has not filed any application praying for interim order. The learned Advocate for the respondents/claimants states that the executing Court is not proceeding with the execution because of pendency of the appeal. The dispute in the appeal is whether the appellant/University is liable to pay the amount of compensation or the State of Maharashtra has to pay the amount of compensation. The appellant/University has not raised any challenge to the amount of compensation determined by the reference Court. In these facts, it is directed that the executing Court should proceed with the execution.

**JUDGE**

*adgokar*