

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

926 CA/1422/2017 IN FAST/38782/2016 WITH
CA/1427/2017 IN FAST/38782/2016

THE EXECUTIVE ENGINEER, LOWER DUDHANA PROJECT,
IRRIGATION DIVISION, NEAR MOTI BAG
VERSUS
PRABHU ANNA GHAYAL DIED THROUGH LRS. ARUN AND
ANOTHER.

...
Mr S D Dhongade advocate for applicant
Mr V M Humbe advocate for respondent.

...
WITH
CA/1954/2017 IN FAST/38797/2016 WITH WITH
CA/1956/2017 IN FAST/38797/2016 WITH CA/1957/2017
IN FAST/38794/2016 WITH CA/1959/2017 IN
FAST/38794/2016 WITH WITH CA/1962/2017 IN
FAST/38785/2016 WITH CA/1963/2017 IN
FAST/38785/2016 WITH CA/1966/2017 IN
FAST/38791/2016 WITH CA/1967/2017 IN
FAST/38791/2016 WITH CA/1969/2017 IN
FAST/38788/2016 WITH CA/1970/2017 IN
FAST/38788/2016 WITH CA/1972/2017 IN
FAST/38779/2016 WITH CA/1975/2017 IN
FAST/38779/2016

...
WITH
CIVIL APPLICATION NO. 1953 OF 2017
IN FAST/38782/2016

PRABHU ANNA GHAYAL DIED THR LRS ARUNA AND ANR
VERSUS
THE EXECUTIVE ENGINEER, LOWER DUDHANA PROJECT,
IRRIGATION DIVISION, NEAR MOTI BAG

...
WITH
CA/1955/2017 IN FAST/38797/2016, CA/1960/2017 IN
FAST/38794/2016, CA/1968/2017 IN FAST/38791/2016,
CA/1971/2017 IN FAST/38788/2016, CA/1974/2017 IN
FAST/38779/2016

...
Advocate for Applicants : Mr Humbe Vilas M.
AGP for Respondents: Mr A M Phule
Advocate for Respondents : Mr S.D.Dhongade

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CORAM : V.K. JADHAV, J.
Dated: March 08, 2017
...

PER COURT :-

1. Heard both sides.
2. Learned counsel for the acquiring body submits that from the same project State and Acquiring body has preferred the appeals alongwith applications for condonation of delay and this Court by order dated 27.2.2017 condoned the delay.
3. In view of the above and for the reasons stated in the applications, delay caused in filing the first appeals is hereby condoned. Civil applications for condonation of delay are allowed and accordingly disposed of.
4. In appeals, issue notice to the respondents, returnable on 19.4.2017. Mr Humbe, Learned counsel waives notice for respondents claimants. Call Record and Proceeding.
5. Heard the learned counsel for the applicant on stay applications. The applicant is ready to deposit the entire amount under the award within 12 (Twelve) weeks from

today. Thus, the effect, execution and implementation of the impugned judgment and award are hereby stayed on the condition that, the applicant shall deposit the entire amount covered under award alongwith interest, within Twelve weeks from today, in this court, failing which, stay granted by this order, shall stand vacated automatically without further reference to the Court.

6. Civil applications for stay accordingly disposed of.

7. Civil applications for directions accordingly disposed of.

(V.K. JADHAV, J.)

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aaa/-