

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

951 CIVIL APPLICATION NO. 11265 OF 2011
IN FAST/21361/2011 WITH CA/11266/2011 IN FAST/21361/2011

THE STATE OF MAHARASHTRA AND ORS
VERSUS
HANMANTRAO VENKATRAO PATIL AND ORS

...
AGP for applicants : Mr. S.N. Morampalle
Advocate for Respondents : Mr. B.N. Patil
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CORAM : V. K. JADHAV, J.
DATED : 28th JULY, 2017

PER COURT:-

1. Learned A.G.P. submits that due to some administrative difficulties the delay is occurred in filing the appeal and the delay is not intentional one. Learned counsel for the respondents-claimants strongly resisted the application on the ground that delay has not been explained satisfactorily. Considering the submissions made on behalf of the applicant and the for the reasons stated in the civil application, delay of 474 days caused in filing the appeal is hereby condoned. Civil application is allowed and disposed of.

2. In so far as stay application is concerned, pending, the hearing and final disposal of first appeal, the execution, implementation and operation of the impugned judgment and award under appeal is hereby stayed on the condition that the applicant shall deposit entire

amount under award with accrued interest thereon, in this Court, within a period of 12 (twelve) weeks from today, failing which the order granting stay shall stand vacated automatically without further reference to the Court. Civil application for stay is accordingly disposed of.

3. In first appeal, issue notice to the respondents, returnable on 8.9.2017.

4. Learned counsel waives notice for respondents-original claimants. Call for record and proceedings.

(V. K. JADHAV, J.)

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