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

**CIVIL APPLICATION NO.133 OF 2017  
IN  
FIRST APPEAL (ST) NO.1259 OF 2016**

V.I.D.C. Through its  
Executive Engineer, Minor  
Irrigation Division, Bembla  
Project Division,  
District Yavatmal. ..APPELLANT

VERSUS

Ramkrushna Pandurang Shirbate  
& ors ..RESPONDENTS

Mr J.B. Kasat, Advocate for appellant;  
Mr R.D. Hajare, Advocate for respondent No.1;  
Ms M.H. Deshmukh, A.G.P. for respondent Nos. 2 & 3

**CORAM : N.W. SAMBRE, J.**

**DATE : 24th APRIL, 2017**

**ORAL ORDER :**

Mr. Kasat, learned Counsel for the appellant, upon instructions, makes a statement that he is armed with cheque and will deposit the same within a period seven days from today. The said statement is accepted as undertaking.

2. In view of above, there shall be stay to further execution. Civil Application stands allowed.

**(N.W. SAMBRE, J.)**

Tupe