

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

C.A.F. No. 144/2017 IN FIRST APPEAL ST. No. 1239/2016

(V.I.D.C. THROUGH ITS EXE. ENGINEER, YAVATMAL -vs- SHANTILAL SITULAL OSWAL
(DEAD) THROUGH L.RS. VASANTKUMAR SHANTILAL OSWAL AND OTHERS)

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri J.B. Kasat, counsel for applicant.
Shri A.B. Nakshane, counsel for respondent no.1(A).
Shri M.A. Kadu, AGP for respondent nos.2 and 3.

CORAM: DR. SMT. SHALINI PHANSALKAR-JOSHI, J.

DATE : JULY 18, 2017.

Heard learned counsel for the applicant, for respondent no.1(A) and learned AGP for respondent nos.2 and 3.

For the reasons stated in para nos.3 and 4 of the application, as sufficient cause is made out, the delay in filing the appeal is condoned.

Application is allowed and disposed of, with no order as to costs.

FIRST APPEAL ST. No. 1239/2016.

Heard.

ADMIT.

Call for R and P.

Appellant to file private paper book within six months after receipt of R and P.

Learned counsel for respondent no.1(A)

waives service of notice. Similarly, learned AGP waives service of notice on respondent nos.2 and 3.

C.A.F. No. 145/2017.

As the entire amount of compensation is already deposited, the order of interim stay is confirmed till the decision of appeal.

Application is disposed of accordingly.

C.A.F. No. 2642/2017.

This application is preferred by the original claimant-respondent no.1(A) seeking withdrawal of the amount of compensation, which is deposited in the court and which is to the tune of Rs.13,51,851/-.

Subject to condition of claimant-respondent no.1(A) furnishing usual undertaking that amount of compensation will be returned with interest if the decision goes against him.

Respondent no.1(A) is permitted to withdraw 75% of the decretal amount.

Application is disposed of accordingly.

JUDGE

Yenurkar