

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

CIVIL APPLICATION NO.1899 OF 2017 IN FIRST APPEAL ST.NO.1530 OF 2017
(Vidarbha Irrigation Development Corporation vs. Pandurang Zitru Date and another)

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

Mrs. N.A. Palshikar, Advocate for applicant/appellant.
Shri A.M. Balpande, Assistant Government Pleader for
respondent no.2.

CORAM : P.N. DESHMUKH, J.
DATED : NOVEMBER 15, 2017

Heard Mrs. Palshikar, learned Counsel for
appellant and Shri Balpande, learned Assistant
Government Pleader for respondent no.2. None for
respondent no.1 though appears to be served.

This application is filed by appellant for
grant of leave to file appeal contending that land
acquisition proceedings were initiated by Executive
Engineer, Minor Irrigation Division, Nagpur and after the
award is passed, Irrigation Project was transferred to
appellant. However, appellant was not made party in
the land acquisition proceedings. It is, therefore,
submitted that acquiring Body for whose benefit land
was acquired was necessary party to the proceedings. As
such, application is prayed to be allowed.

Having considered facts as aforesaid and as
applicant is found entitled to appear and contest matter
for determining just compensation, leave as prayed is
granted. The civil application is disposed of as allowed.

CIVIL APPLICATION NO.3207 OF 2017

Heard Mrs. Palshikar, learned Counsel for appellant and Shri Balpande, learned Assistant Government Pleader for respondent no.2. None for respondent no.1 though appears to be served.

This application is filed by appellant for condonation of 1261 days' delay caused in preferring appeal.

For the grounds mentioned in the application, since delay is found satisfactorily explained, same is condoned in the interest of justice. The application is disposed of as allowed.

FIRST APPEAL ST. NO.1530/2017

Heard learned Counsel for the parties.
Admit. Call R & P.

CIVIL APPLICATION NO.3208/2017

Mrs. Palshikar, learned Counsel for applicant/appellant, makes a statement that entire decretal amount as per impugned judgment and award shall be deposited within three weeks from today.

Stand over to 6/12/2017.

JUDGE

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