

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

CIVIL APPLICATION NO.1537 OF 2017
IN FIRST APPEAL ST. NO.2061 OF 2017

(Executive Engineer, Bembla Project Division vs. Smt. Urmila wd/o Narayan Kadam and others)

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

Shri P.B. Patil, Advocate for applicant.
Shri A.P. Kalmegh, Advocate for respondent nos.1 to 3.
Ms. R. Kalia, Assistant Government Pleader for
respondent nos.4 and 5.

CORAM : P.N. DESHMUKH, J.

DATED : OCTOBER 10, 2017

Heard learned Counsel for the parties.

This application is filed by applicant for
condonation of 323 days' delay caused in preferring
appeal against judgment and award dated 15/10/2015
passed by learned Joint Civil Judge, Senior Division,
Yavatmal in L.A.C. No.463/2012.

For the grounds mentioned in paras 2 and 3
of the application and since it is found that there is no
intentional delay caused, the delay is condoned. The
application is allowed.

FIRST APPEAL ST. NO. 2061 OF 2017

Heard learned Counsel for the parties.

Admit.

Shri Kalmegh, learned Counsel waives notice

for respondent nos.1 to 3. Ms. Kalia, learned Assistant Government Pleader waives notice for respondent nos.4 and 5.

Call R & P.

CIVIL APPLICATION NO. 1538 OF 2017

This application is filed by appellant for grant of stay to execution of impugned judgment and award dated 15/10/2015 passed by learned Civil Judge, Senior Division, Yavatmal in L.A.C. No.463/2012.

Shri Patil, learned Counsel for applicant, submits that in compliance to statement made, upon which order dated 3/4/2017 is passed by this Court, appellant has deposited entire decretal amount within stipulated period.

Submission advanced as aforesaid is found substantiated by the Office note establishing deposit of Rs.21,46,788/- within three months.

In that view of the matter, there shall be stay to execution of impugned judgment and award dated 15/10/2015 passed by learned Civil Judge, Senior Division, Yavatmal in L.A.C. No.463/2012

The application is disposed of.

JUDGE

khj