

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

CIVIL APPLICATION (CAO) NO.2002 OF 2016
IN
CIVIL APPLICATION (CAF) NO.2094 OF 2015
IN
FIRST APPEAL ST. NO.5097 OF 2015

VIDC Thr. Executive Engineer, Bembla Project Division, Yavatmal

-vs-

Vishwanath s/o Karkuji Nagarale and ors.

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

Court's or Judge's Orders.

Ms A. M. Gupta, Advocate h/f Shri P. B. Patil, Advocate for applicant.
Ms S. Haider, AGP for respondent Nos.2 and 3.

CORAM : DR (SMT) SHALINI PHANSALKAR-JOSHI, J.
DATE : JUNE 29, 2017

As the applicant is acquiring body and its presence being necessary for deciding the controversy involved in this appeal, the application is allowed. The applicant is granted leave to file appeal. Civil application is disposed of.

C.A.F. No.2248 of 2015

This is an application for condonation of delay of 1333 days in filing this appeal.

Heard.

For the reasons stated in paragraphs 4 and 5 of the application, as sufficient cause is made out and learned counsel for applicant also submits that the entire decretal amount would be deposited within eight weeks from today, application for condonation of delay is allowed with no

order as to costs.

C.A.F. No.2249 of 2015.

Subject to condition of the appellant depositing the entire amount of compensation in this Court within period of eight weeks from today, the execution of the impugned award shall remain stayed during pendency of the proceedings. On failure to deposit the said amount within stipulated period, the stay granted would stand vacated automatically without further reference to Court.

Civil application is disposed of.

F.A.St. No.5097 of 2015

Heard.

Admit.

Call for record and proceedings.

Learned Assistant Government Pleader waives notice on behalf of respondent Nos.2 and 3.

Appellant to file private paper-book after receipt of record and proceedings.

JUDGE

Asmita