

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

CIVIL APPLICATION (F) NO.3449 OF 2016
IN
FIRST APPEAL STAMP NO.10452 OF 2016

(Executive Engineer, Khadakpurna Project, Deulgaon Raja, Dist. Buldana Vs. Madan Appaji Kakad and others)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Shri Anoop Parihar, Advocate for Appellant.
Ms. Shamsi Haider, AGP for Respondent No.5.

CORAM: DR. (SMT.) SHALINI PHANSALKAR-JOSHI, J.
DATE: 30th JUNE, 2017.

Heard learned counsel for appellant and learned A.G.P. for respondent No.5.

Respondent Nos.1 to 4 are duly served, but not remained present.

Hence, for the reasons stated in paras 2 to 5 of the application as sufficient cause is made out and hence the appellant has filed to deposit the entire amount of compensation in the Reference Court, in the interest of justice. The application is allowed. The delay is condoned.

The application is disposed of.

Civil Application (F) No.3450/2016:

As the entire amount of compensation is deposited in the Reference Court. In view of the pursis

filed on record by learned counsel for appellant, the stay order of ad interim stay is confirmed till the decision of the appeal. The application is disposed of.

First Appeal Stamp No.10452/2016:

Heard learned counsel for appellant and learned A.G.P. for respondent No.5. Respondent Nos.1 to 4 are absent though duly served.

Admit.

Call for R & P.

The appellant to file private paper-book within a period of six months from the date of receipt of R & P. Ms. Shamsi Haider, the learned A.G.P. waives service of notice for respondent No.5.

JUDGE