

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

C.A.F. No. 2738/2017 IN FIRST APPEAL ST. No. 17964/2016

(THE EXE. ENGINEER, MINOR IRRIGATION DIVISION NO.2 CHIKHLI, DISTT. BULDHANA -Vs-
PANDURANG BHAGWAN TAYADE 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 S.S. Godbole, counsel for the appellant.
Shri A.P. Sadavarte, counsel for respondent nos.1, 2 & 5.
Shri A.R. Chutake, AGP for respondent nos.6.

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

DATE : JULY 24, 2017.

This is an application seeking condonation of
delay.

Learned counsel for respondent nos.1, 2 and
5 has no objection to condone the delay.

Hence, for the reasons stated in para nos.3
and 4 of the application, as sufficient cause is made out,
the delay is therefore condoned. Application is allowed,
with no order as to costs.

C.A.F. No. 3840/2016.

As the appellant is Acquiring Body, its
presence being necessary, leave to file appeal is granted.

Application is allowed and disposed of.

FIRST APPEAL ST. No. 17964/2016

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 nos.1, 2 and 5 waives service of notice and learned AGP waives service of notice on respondent no.6. Whereas the Executive Engineer of V.I.D.C. has preferred this appeal, notice to respondent no.7 is dispensed with.

C.A.F. No. 2739/2017.

Subject to condition of appellant depositing the entire amount of compensation within 8 weeks, stay is granted to the execution of the impugned judgment and award of the reference court till decision of the appeal.

On failure of appellant to deposit the amount within stipulated period, stay will stand automatically vacated without further reference to this court.

CROSS OBJECTION No. 43/2017.

Heard. **ADMIT.**

To be decided along with the appeal.

C.A.O. No. 854/2017.

This is an application seeking amendment in cross objection for granting permission to pay the deficit court fee.

There is no need to amend the cross objection for that purpose, however, applicants/claimants are permitted to deposit the deficit court fee within two weeks.

JUDGE

Yenurkar