

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

CIVIL APPLICATION NO.3843 OF 2017 IN FIRST APPEAL ST. NO.15437 OF 2017
(Executive Engineer, Lower Wardha Project Division vs. Sanjay s/o Ramkrushana Dethe 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 B.N. Jaipurkar, Advocate for applicant.

CORAM : P.N. DESHMUKH, J.

DATED : OCTOBER 5, 2017

Issue notice to respondents.

Shri Chopde, learned Counsel waives notice
for respondent no.1. Shri Kadu, learned Assistant
Government Pleader waives notice for respondent nos.2
and 3.

Learned Counsel for respondents submit that
they do not intend to file reply and application may be
disposed of by hearing oral submissions.

This application is filed by applicant/
appellant for condonation of 196 days' delay caused in
filing first appeal challenging judgment and award dated
27/9/2016 passed by learned Reference Court in L.A.C.
No.40/2009.

For the grounds mentioned in para 2 of the
application, though respondents have opposed the
application, delay is condoned in the interest of justice.
The application is allowed.

FIRST APPEAL ST. NO.15437 OF 2017

Heard learned Counsel for the parties.

Admit.

Shri Chopde, learned Counsel waives notice for respondent no.1. Shri Kadu, learned Assistant Government Pleader waives notice for respondent nos.2 and 3.

Call R & P.

CIVIL APPLICATION NO.3844 OF 2017

Heard learned Counsel for the parties.

Perused the application.

The effect, operation and execution of the impugned judgment and award dated 27/9/2016 passed by learned 3rd Joint Civil Judge, Senior Division, Wardha in L.A.C. No.40/2009 shall stand stayed subject to appellant depositing entire decretal amount with the Registry of this Court within twelve weeks from today.

The application is disposed of.

JUDGE

khj