

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

C.A.F. No. 3744/2016 IN FIRST APPEAL ST. No. 15999/2016

EXE. ENGINEER, MINOR IRRIGATION DIVISION, WARDHA -vs. ASHABAI YADAVRAO MISAL  
AND OTHERS.

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

Court's or Judge's Orders.

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Shri S.K. Bhoyar, counsel for applicant.  
Shri C.R. Najbile, counsel for respondent nos.1 to 5.  
Ms. S. Haider, AGP for respondent nos.6 and 7.

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

**DATE : JUNE 22, 2017.**

Heard learned counsel for applicant.

Heard learned counsel for respondent no.1 Shri  
C.R. Najbile. He submits that he will file his Vakalatnama  
on behalf of respondent nos.2 to 5 also.

Heard learned AGP for respondent nos.6 and 7.

For the reasons stated in para nos.2 to 4 of the  
application, as sufficient cause is made out, the delay in  
preferring the appeal, is condoned.

Application is allowed with no order as to costs.

Application is disposed of accordingly.

**FIRST APPEAL ST. No. 15999/2016.**

Heard.

**ADMIT.**

Call for R and P.

Appellant to file private paper book within 6 months after receipt of R and P.

Notice to respondent nos.1 to 5 is waived by learned counsel Nazmi Ali, whereas notice to respondent nos.6 and 7 is waived by learned AGP.

**C.A.F. No3745/2016.**

Subject to condition of appellant depositing the entire amount of compensation within a period of 8 weeks from today, the stay is granted to the execution of the impugned judgment and award.

On failure of appellant to deposit the entire amount of compensation within the stipulated period, the order of stay shall stand automatically vacated without reference to this court.

Application is disposed of accordingly.

**JUDGE**