

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

C.A.F. NO.650/2017 IN FIRST APPEAL ST. NO. 18563
/2016

(VIDARBHA IRRIGATION DEVELOPMENT CORPORATION, THROUGH ITS EXECUTIVE ENGINEER,
YAVATMAL MEDIUM PROJECT DIVISION VERSUS GANESH DYANESHWAR KAWALKAR & OTHERS)

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

Court's or Judge's orders

Shri J.B. Kasat, counsel for the applicant.
Shri A.B. Nakshane, counsel for the NA-1.
Shri A.D. Sonak, A.G.P. for the NA-2 & 3.

CORAM : S.B. SHUKRE, J.

DATE : OCTOBER 05, 2017.

Heard.

The applicant is beneficiary and the acquiring body and therefore, as per the law settled by the Hon'ble Apex Court, it would be necessary party, having right to file appeal, in case of any dissatisfaction with the impugned award. Accordingly, this application is allowed. Leave to file appeal is granted.

The civil application stands disposed of.

C.A.F. No.2312/2017

Heard.

For the reasons stated in the application, application is allowed. Delay is condoned. The appeal be registered.

The civil application stands disposed of.

F.A. ST. NO.18563/2016.

Heard.

ADMIT.

Call for Record & Proceedings.

Learned counsel Shri A.B. Nakshane waives notice of final hearing on behalf of the respondent No.1.

Learned Assistant Government Pleader Shri A.D. Sonak waives notice of final disposal on behalf of the respondent Nos.2 and 3.

C.A.F. NO.3543/2017.

Heard.

Perused the impugned award and the grounds in this appeal. I am of the view that this application can be conditionally allowed and it is allowed accordingly.

Respondent No.1 is permitted to withdraw 50% of the amount deposited in this Court on his furnishing usual undertaking and also permitted to withdraw remaining 50% amount deposited in this Court on his furnishing solvent surety to the satisfaction of learned Registrar, both to be furnished within 10 weeks from the date of this order.

Paper Book be filed within one year.

The civil application stands disposed of.

JUDGE