

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

C.A.F. No. 875/2017 IN FIRST APPEAL ST. No. 21508/2016

(EXE. ENGINEER, PURNA MEDIUM PROJECT, ACHALPUR DIVISION, ACHALPUR, DISTT.
 AMRAVATI -vs- SARDARKHA MIYAKHA (DECEASED) THROUGH HIS L.RS. HALIMABEE
 SARDARKHA 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 V.G. Palshikar, counsel for appellant.
 Shri R.J. Shinde, counsel for respondent nos.1(A) to 1(F)
 Shri A.R. Chutake, AGP for respondent nos.2 and 3.

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

DATE : AUGUST 03, 2017.

This is an application filed by the appellant
 seeking condonation of delay in preferring the appeal.

Learned counsel for respondent nos.1(A) to
 1(F), Shri R.J. Shinde submits that he has no objection
 to condone the delay.

Hence, though the delay is of 539 days, in
 view of no objection given by the respondent nos.1(A) to
 1(F), claimants, and for the reasons stated in the
 application, the delay is condoned.

Application is allowed and disposed of, with
 no order as to costs.

C.A.F. No. 3163/2017.

This is an application for withdrawal of the
 amount of compensation deposited in the court.
 Application is filed by the respondent nos.1(A) to 1(F),

the original claimants.

Considering his dire need of the amount, application is allowed.

Respondent nos.1(A) to 1(F), claimants are permitted to withdraw the entire amount of compensation subject to furnishing of usual undertaking and subject to furnishing of solvent surety/security for 50% of the amount.

Application is disposed of accordingly.

FIRST APPEAL ST. No. 21508/2016.

Heard.

ADMIT.

Call for R and P.

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

Notice to respondent nos.1(A) to 1(F) is waived by counsel Shri R.J. Shinde, whereas notice to respondent nos.2 and 3 is waived by AGP.

JUDGE

Yenurkar