

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

CIVIL APPLICATION NO.3947 OF 2017

IN CIVIL APPLICATION NO.1828/2017 IN FIRST APPEAL ST.NO.15816 OF 2015
(Executive Engineer, Minor Irrigation Division vs. Ramchandra Nimbaji Kalbande and others)

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

Smt. U.A. Patil, Advocate for applicant.
Shri A. Darekar, Advocate for respondent no.1.
Shri M.J. Khan, Assistant Government Pleader for
respondent nos.2 and 3.

CORAM : P.N. DESHMUKH, J.

DATED : NOVEMBER 08, 2017

This application is filed by appellant for grant of permission to deposit entire decretal amount.

Smt. Patil, learned Counsel for appellant, prays for time of one week to deposit entire decretal amount.

As per order dated 2/8/2016 passed by this Court, appellant is directed to deposit entire decretal amount and on depositing the same, ad interim stay was granted to impugned judgment and award.

Smt. Patil, learned Counsel for appellant, submits that appellant shall deposit the entire decretal amount within one week from today.

In that view of the matter, time as prayed is granted. On appellant depositing entire decretal amount within one week, ad interim stay granted vide order dated 2/8/2016 shall stand confirmed pending appeal.

The civil application is disposed of in the

above terms.

CIVIL APPLICATION NO.1828 OF 2017

Issue notice to respondents.

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

This application is for condonation of 305 days' delay caused in preferring appeal against judgment and award dated 29/11/2013 passed by Civil Judge, Senior Division, Washim in L.A.C. No. 42/2003.

For the grounds mentioned in para 2 of the application, delay caused is found to be satisfactorily explained. There appears no intentional delay caused in preferring appeal though same is opposed by respondent no.1. Hence, delay is condoned in the interest of justice. The application is disposed of as allowed.

FIRST APPEAL ST. NO.15816/2015

Heard learned Counsel for the parties.

Admit.

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

JUDGE

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