

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

CIVIL APPLICATION (F) NO.499 OF 2017
IN
FIRST APPEAL STAMP NO.23053 OF 2016

(Executive Engineer, Minor Irrigation Department, Dist. Wardha Vs. Smt. Indirabai
Keshorao Pawar and others)

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

Court's or Judge's orders.

Shri B.N. Jaipurkar, Advocate for Applicant/Appellant.
Shri V.N. Patre, Advocate for Respondent Nos.1 to 3.
Ms. Shamsi Haider, AGP for Respondent Nos.4 & 5.

CORAM: DR. (SMT.) SHALINI PHANSALKAR-JOSHI, J.
DATE: 19th JULY, 2017.

Heard learned counsel for applicant, respondent
Nos.1 to 3 and learned A.G.P. for respondent Nos.4 and 5.

For the reasons stated in paras 2 to 4 of the
application, as the sufficient cause is made out, the delay in
filing of this appeal is condoned.

The application is allowed with no order as to
costs.

First Appeal Stamp No.23053/2016:

Heard.

Admit.

Call for R & P.

Appellant to file private paper-book within a
period of six months. After the receipt of R & P.

Shri Patre, learned counsel waives service of notice for respondent Nos.1 to 3 and Ms. Haider, learned Assistant Government Pleader waives service of notice for respondent Nos.4 and 5.

Civil Application (F) No.2735/2017:

This is an application filed by the respondent Nos.1 to 3 for withdrawal of the entire amount of compensation deposited in the Court.

For the reasons stated in para 3 of the application, the application is allowed. Respondent Nos.1 to 3 are permitted to withdraw the entire amount of compensation deposited in the Court with interest accrued thereon subject to condition of filing usual undertaking and also of furnishing solvent surety/security for 50% of the amount.

The application is disposed of.

Civil Application (F) No.500/2017:

As the entire amount of compensation is deposited in the Court, the ad interim order of stay is confirmed till the decision of the appeal.

The application is disposed of.

JUDGE