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

**CIVIL APPLICATION NO.393 OF 2017
IN
FIRST APPEAL (ST) NO.25588 OF 2015**

V.I.D.C. Through its
Executive Engineer, Minor
Irrigation Division, Bembla
Projct Division,
District Yavatmal. ..APPELLANT

VERSUS

Vithal Tukaram Jivane since
deceased through L.Rs.
Smt. Chandrabhaga Vithal
Jivane, aged about 70 years,
Occ: Household,
R/o. Khadaksawanga,
Tq. & Dist. Yavatmal & ors ..RESPONDENTS

Mr J.B. Kasat, Advocate for appellant;
Mr M.P. Kariya, Advocate for Resp. No.1B,1D & 1E;
Mr A.D. Sonak, A.G.P. for respondent Nos. 3 & 4

CORAM : N.W. SAMBRE, J.

DATE : 24th APRIL, 2017

ORAL ORDER :

Mr. Kasat, learned Counsel for the
appellant, upon instructions, makes a statement
that he is armed with cheque and will deposit the
same within a period three days from today. The
said statement is accepted as undertaking.

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2. In view of above, there shall be stay to further execution.

3. Civil Application stands allowed and disposed of.

(N.W. SAMBRE, J.)

Tupe