

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 435 OF 2017 IN
FIRST APPEAL ST. NO. 34233 OF 2016

Executive Engineer

Applicant

Versus

Vishwanath Krishna Khandekar
& others

Respondents

Ms. S.D. Shelke, advocate for applicant
Mr. A.M. Phule, AGP for respondent no. 1.
Mr. G.K. Sontakke, advocate for respondents 1-a to 1-j.

CORAM : M.S. SONAK, J.
DATE : 1st FEBRUARY, 2018

PER COURT:

1. Taking into consideration the order dated 19.12.2017, made in connected Civil Application No. 428/2017 in First Appeal St. No. 34028/2016, this civil application is allowed. Delay in institution of appeal is condoned.

(M.S. SONAK, J.)

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& others

Respondents

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Mr. A.M. Phule, AGP for respondent no. 1.

Mr. G.K. Sontakke, advocate for respondents 1-a to 1-j.

CORAM : M.S. SONAK, J.

DATE : 1st FEBRUARY, 2018

PER COURT:

1. Heard.
2. Admit. Learned counsel Mr. Sontakke waives service of notice on behalf of respondent no. 1.
3. Call Record and Proceeding.

(M.S. SONAK, J.)

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CORAM : M.S. SONAK, J.
DATE : 1st FEBRUARY, 2018

PER COURT:

1. Execution of the impugned judgment and award is stayed subject to appellant depositing the entire awarded amount together with interest in this Court within a period of twelve weeks from today.
2. Upon deposit of amount, respondent no. 1, claimant, is permitted to withdraw 50% of the deposited amount on filing an undertaking that such withdrawal shall abide by final order in the appeal.

(M.S. SONAK, J.)