

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

CIVIL APPLICATION (CAO) NO.643 OF 2018

AND

CIVIL APPLICATION (CAO) NO.644 OF 2018

AND

CIVIL APPLICATION (CAF) NO.2337 OF 2017

AND

FIRST APPEAL ST. NO.4077 OF 2017

(EXECUTIVE ENGINEER,BEMBLA IRRIGATION DIVISION...VS.. RAMBHAU PUNJARAM HOLE & OTH.)

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

Court's or Judge's orders

 Shri S.K.Bhoyar, Advocate for Appellant.
 Shri A.B.Nakshane, Advocate for Respondent No.1.
 Ms Mayuri Deshmukh, A.G.P. for Respondent Nos. 2 and 3.

CORAM : Z.A.HAQ, J.

DATED : APRIL 03, 2018.

CIVIL APPLN.NO. 643/2018 & CIVIL APPLN.NO.644/2018.

Accepting the explanation given in the applications, delay of 153 days in filing the application for bringing on record the legal representative of the respondent No.1 is condoned, abatement is set aside and the appellant is permitted to bring on record legal representative of the respondent No.1.

The civil applications are **allowed** accordingly.
 No costs.

CIVIL APPLN. NO.2337/2017.

Shri A.B.Nakshane, advocate waives notice for the legal representative of the respondent.

Accepting the explanation given in the application, delay of 211 days in filing the appeal is condoned.

The civil application is **allowed** accordingly. No costs.

FIRST APPEAL ST. NO.4077/2017.

Taken up for hearing on admission.

Heard.

ADMIT.

Shri A.B.Nakshane, advocate waives notice for the respondent Nos.1-A and Ms Mayuri Deshmukh, A.G.P. waives notice for the respondent Nos. 2 and 3.

Call R & P.

The appellant to file private paper book within six months.

CIVIL APPLN.NO.2338/2017.

The appellant has deposited the amount as per the impugned award. The interim order granted on 10th July, 2017 to continue until further orders.

Considering the facts of the case, the respondent No.1-A is permitted to withdraw an amount of Rs.Five Lakhs from the amount deposited by the appellant with the Registry of this Court. The balance amount be kept in fixed deposit in a nationalized bank until further orders.

The civil application is **disposed** in the above terms. No costs.

JUDGE

RRaut..