

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

CAF NO.325/2018 IN FA ST.NO.7846/2017

The Executive Engineer, Minor Irrigation Division, Washim, District Washim

..VS..

Smt. Sumitrabai w/o Dadarao Solanke (dead), thr. LRs Baburao s/o Dadarao Solanke
(Deshmukh) and ors

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

Court's or Judge's Order

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Shri S.K. Bhoyar, Counsel for the applicant.
Shri V.N. Patre, Counsel for non-applicant Nos.1 to 4.
Mrs. A.R. Kulkarni, AGP for non-applicant Nos.4 and 5.

CORAM : V.M. DESHPANDE, J.

DATED : OCTOBER 11, 2018.

1. This is an application for condonation of delay of 358 days caused in preferring an appeal to challenge judgment and decree dated 14.12.2015 passed by learned Civil Judge Senior Division, Mangrulpir in LAC No.197/2013.

2. I have heard learned counsel Shri S.K. Bhoyar for the applicant.

3. Learned counsel Shri V.N. Patre waives service for non-applicant Nos.1 to 4/original claimants and learned Assistant Government Pleader Mrs. A.R. Kulkarni waives service for non-applicant Nos.5 and 6.

4. Learned counsel Shri V.N. Patre fairly submits that he has no objection for allowing the present application for condonation of delay.

5. Hence, for the reasons stated in the application, the application is allowed. Delay caused in filing the first appeal is hereby condoned. Office to register the first appeal.

.....2/-

6. The civil application stands disposed of accordingly.

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Heard learned counsel Shri S.K. Bhoyar for the appellant.

ADMIT. Learned counsel Shri V.N. Patre waives service for respondent Nos.1 to 4 and learned Assistant Government Pleader Mrs. A.R. Kulkarni waives service for respondent Nos.5 and 6.

Civil Application No.326/2018

1. This is an application for grant of Stay. The said application will be considered only after the applicant-appellant depositing entire decretal amount before this Court.

2. Learned counsel S.K. Bhoyar for the applicant-appellant submits that he has instructions to make a submission that the applicant-appellant will be depositing entire decretal amount before this Court within a period of 3 months from today. The statement is accepted.

3. Registry is directed to accept the amount if it is tendered by the applicant/appellant within a period of 3 months from today.

JUDGE

!! BRW !!

...../-