

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

CIVIL APPLICATION (CAF) NO. 352/2018
IN
FIRST APPEAL STAMP NO. 15960/2017

The E.E., Bembla Canal Division, Yavatmal.

Vs.

Ashok Gangadhar Choudhari 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 M.A. Kadu, Advocate for the Applicant/Appellant.
Shri K.R. Lule, AGP for the non-applicant Nos. 2 and 3.

CORAM: A.D. UPADHYE, J.

DATE: 26-10-2018.

Heard.

There is a delay of 232 days caused in filing the
first appeal.

Having heard the learned Counsel for the
applicant and having gone through the contents of the
application, I find that sufficient cause is made out for
condoning the delay. Hence, the delay is condoned.

The civil application is allowed.

FIRST APPEAL ST. NO.15960/2017

Heard.

ADMIT.

Call for record and proceedings.

Shri A.R. Lule, learned Assistant Government
Pleader waives service of notice for the respondent nos.2
and 3.

CIVIL APPLICATION (CAF) No.353/2018

Shri M.A.Kadu, learned Counsel for the applicant has submitted that the entire decretal amount is deposited and therefore decree is under challenge. In view of the statement made by the learned Counsel for the applicant/appellant, Pursis has filed on record to that effect. The execution of the Judgment and Award dated 25/04/2016 passed by the Civil Judge, Senior Division, Yavatmal in L.A.C. No.116/2011 is hereby stayed till the disposal of the appeal.

Civil Application is disposed of. No costs.

The applicant/appellant to file private paper-book within six months.

JUDGE