

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

CIVIL APPLICATION NO.3645 OF 2017
IN FIRST APPEAL ST. NO.17026 OF 2017
(V.I.D.C. vs. Sunil Narayan Tijare and others)

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

Shri B.N. Jaipurkar, Advocate for applicant.
Shri A.L. Deshpande, Advocate for respondent no.1.
Smt. M.H. Deshmukh, Assistant Government Pleader for
respondent nos.2 and 3.

CORAM : MANISH PITALE, J.

DATED : FEBRUARY 13, 2018

This is an application for condonation of
delay of 236 days in filing first appeal.

A reply has been filed on behalf of
respondent no.1/claimant opposing the said application.
Shri Deshpande, learned Counsel appearing on behalf of
respondent no.1/claimant vehemently opposes
condonation of delay, but considering that the acquiring
Body has interest in determination of quantum of
compensation and the fact that number of days' delay is
not huge, I am inclined to allow this application.
Accordingly, application is allowed and delay is
condoned.

CIVIL APPLICATION NO.3646 OF 2017

This is an application for grant of stay to
impugned judgment and order.

While issuing notice on this application, interim stay was granted in favour of appellant subject to condition that appellant deposits entire decretal amount in this Court within a period of 12 weeks. It is pointed out that the said amount has been deposited by the appellant in this Court. Hence, interim order dated 7/9/2017 is confirmed and this application is disposed of.

CIVIL APPLICATION NO. 293 OF 2018

This is an application filed on behalf of respondent no.1/claimant seeking permission to withdraw the amount of compensation deposited by appellant in this Court.

For the reasons stated in the application, same is allowed and respondent no.1/claimant is permitted to withdraw the amount of compensation - 50% amount on furnishing solvent surety/security to the satisfaction of Registrar (Judicial) of this Court and balance 50% amount on filing usual undertaking. The application is disposed of.

FIRS APPEAL ST. NO.17026 OF 2017

Heard learned Counsel for the parties.

Admit.

Shri Deshpande, learned Counsel waives notice for respondent no.1. Smt. Deshmukh, learned Assistant Government Pleader waives notice on behalf of

respondent nos.2 and 3.

Call for R & P.

Learned Counsel for appellant shall file private paper book within a period of six months.

JUDGE

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