

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

CIVIL APPLICATION NO. 1846/2018 IN CIVIL APPLICATION
NO.3616/2016 IN F.A.ST.NO.20282/2015

Union of India and representing Central Railways, thr G.M. Mumbai .vs.
Smt. Kulsumbai wd/o Abdullabhai and Ors.

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

Court's or Judge's orders.

Mr. Lambat, Advocate for applicant.

Mr. Babrekar, Advocate for non applicant nos.1,2,4 to 8,10(1) to 10 (6).

Mr. M. A. Kadu, A.G.P. for respondent nos.11 and 12.

CORAM : V.M. DESHPANDE, J.

DATED : OCTOBER 12, 2018

Heard.

This is an application for permission to
deposit the cheque of the decretal amount and stay.

The applicant has stated in detail chronology
of events as to why on the earlier occasion the decretal
amount could not be deposited. Further, Mr. Babrekar,
Advocate has no objection for allowing the application.

Hence, the application is allowed. Applicant
is permitted to deposit the cheque of the decretal
amount within 10 days from today. After the amount is
deposited, there shall be stay to the execution of the
judgment and decree in Land acquisition Case
No.78/2004 dated 31.12.2014 dated 03.12.2014. It is
made clear that it shall be always open for the original
claimants to file appropriate application for withdrawal
of the amount.

The application is disposed of.

Civil Application No. 3616/2016

This is an application for condonation of delay. Notices on this application were already issued. Pursuant to the notice, Mr. Babrekar, Advocate appears for respondents-claimants. Mr. Kadu, A.G.P. appears for non applicant nos. 11 and 12.

There is a delay of 183 days for filing the appeal. Mr. Babrekar, Advocate strongly opposed the application. However, after having perused the application and the reply, after hearing them, I am satisfied that a case is made out for condonation of delay. Hence, the application is allowed. The delay is condoned. Office is directed to register the appeal.

The application is disposed of.

First Appeal Stamp No.20282/2015

Heard.

ADMIT. Call for the record and proceedings.

Mr. Babrekar, Advocate waives notice for respondent nos.1, 2, 4 to 8, 10(1) to 10(6) and Mr.Kadu, A.G.P. waives notice for respondent nos.11 and 12.

JUDGE