

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

CIVIL APPLICATION (CAF) NO. 2343/2018 IN
FIRST APPEAL STAMP NO. 15/2018

V.I.D.C. Yavatmal and another V/s Dnyaneshwar Doma Rathod 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 Vinay Dahat, counsel for the appellant.
Shri R.J. Shinde, counsel for the respondent No.1.
Smt Geeta Tiwari, AGP for the respondent Nos. 2 and 3.

CORAM: ARUN D. UPADHYE, J.

DATE: 18-01-2019.

Heard learned counsel for the parties.

Learned counsel for the applicant/appellant has submitted that principal amount is deposited before the learned Reference Court. He, therefore, prays that eight weeks time may be granted to deposit additional compensation.

In view of the statement made on behalf of the applicant/appellant eight weeks time is granted for depositing the additional compensation before learned Reference Court.

CIVIL APPLICATION (CAO) NO. 135/2019

Heard learned counsel for the parties.

Perused the application. Considering the submissions of both the sides, I am of the view that respondent No.1 could be permitted to withdraw the 50% amount deposited before learned Reference Court at Darwaha on furnishing usual undertaking and further could

be permitted to withdraw the remaining amount on furnishing solvent surety to the satisfaction of the learned Reference Court, within eight weeks.

The Respondent No.1 to furnish usual undertaking as well as surety within eight weeks from the date of this order.

Civil application is disposed of accordingly.

CIVIL APPLICATION NO. 2343/2018

Heard.

Learned counsel for the applicant.

Perused the application. There is a delay of 533 days in filing First Appeal. Considering the reasons stated in the application, the delay is condoned.

Civil application is allowed.

FIRST APPEAL STAMP NO. 15/2018

Heard.

Admit

Call record and proceedings.

Shri R.J. Shinde, learned counsel waives notice for the respondent No.1.

Smt Geeta Tiwari, learned AGP waives notice for the respondent Nos. 2 and 3.

JUDGE