

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

**CIVIL APPLICATION (CAF) NO. 2767/2018 IN**  
**FIRST APPEAL STAMP NO. 6356/2018**

V.I.D.C., The Executive Engineer, Bembla Project, Yavatmal.

V/s

Dilip Gulabrao Mankar and others

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

*Court's or Judge's orders.*

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Shri M.A. Kadu, counsel for the applicant/appellant.  
Shri K.S. Narwade, counsel for the non-applicant/respondent Nos. 1 to 5.  
Shri S.D. Sirpurkar, AGP for the non-applicant/respondent Nos. 6 and 7.

**CORAM: ARUN D. UPADHYE, J.**

**DATE: 09-01-2019.**

Issue notice to the non-applicants/respondents,  
returnable on 23/01/2018.

Shri K.S. Narwade, learned counsel waives  
service of notice for the non-applicant/respondent Nos. 1  
to 5.

Shri S.D. Sirpurkar, learned AGP waives service  
of notice for the non-applicant/respondent Nos. 6 and 7.

Perused the application. There is a delay of 148  
days in filing appeal. Considering the reasons stated in the  
application, delay is condoned.

The civil application is allowed.

**FIRST APPEAL STAMP NO.6356/2018**

Heard.

**ADMIT.**

Call for record and proceedings.

Shri K.S. Narwade, learned counsel waives

service of notice for the respondent Nos. 1 to 5.

Shri S.D. Sirpurkar, learned AGP waives service of notice for the respondent Nos. 6 and 7.

**CIVIL APPLICATION (CAF) NO. 2768/2018**

Heard learned counsel for the applicant. Learned counsel has submitted that 50% decretal amount would be deposited within three months from today and therefore the impugned judgment and award dated 07/04/2017 passed by the Civil Judge, Senior Division, Yavatmal in L.A.C. No.208/2009 be stayed.

Considering the submissions of the learned counsel for the applicant/appellant, the impugned judgment and award under challenge is stayed until further order.

The applicant/appellant is granted three months time to deposit the 50% decretal amount.

**CROSS-OBJECTION NO.03/2019 IN FIRST APPEAL  
STAMP NO. 6356/2018**

Heard.

**Admit**

Shri M.A. Kadu, learned counsel waives service of notice for the appellant.

Shri S.D. Sirpurkar, learned AGP waives service of notice for the respondent Nos.6 and 7.