

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

CIVIL APPLICATION (CAF) NO.89/2018

IN

FIRST APPEAL ST. NO.6918/2017

Executive Engineer (V.I.D.C) Bembla Project Division, Yavatmal, Tal. & Dist.
Yavatmal and another

...Versus...

Minnath Shriram Rajkude 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, Counsel for applicants
Shri A.B. Nakshane, Counsel for respondent no.1
Smt. Hemlata Jaipurkar, AGP for respondent nos.2 and 3

CORAM : ARUN D. UPADHYE, J.

DATE : 30/04/2019

Heard.

Perused the application. There is a delay of 447 days caused in filing the first appeal.

For the reasons stated in the application, the delay caused in filing the first appeal is condoned. The civil application is allowed and disposed of accordingly. No order as to costs.

FIRST APPEAL ST. NO.6918/2017

Heard.

ADMIT.

Call for record and proceedings.

Learned Counsel Shri A.B. Nakshane waives service of notice for the respondent no.1 and learned Assistant Government Pleader Smt. Hemlata Jaipurkar waives service of notice for the respondent nos.2 and 3.

CIVIL APPLICATION (CAO) NO.959/2019

Heard.

Perused the impugned judgment and award. The applicant/respondent no.1 is permitted to withdraw 75% of the amount, deposited by the appellants in this Court, upon furnishing usual undertaking to the effect that he will refund the amount in case the first appeal is allowed. The remaining 25% amount be kept in fixed deposit in any nationalized bank, till disposal of the first appeal.

The civil application stands disposed of accordingly. No order as to costs.

JUDGE

Wadkar, P.S.