

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

CIVIL APPLICATION (F) No. 2448 OF 2019

IN

F.A.St.No.10621 OF 2019

VIDC, Nagpur thr. Executive Engineer, Achalpur and others.

VS.

Niyamatkha Ahmadkha (Dead) thr.LR's
Kalimbee Niyamatkha and others

Office Notes, Office Memorandum of Coram,
orders
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's

Shri. J. B. Kasat & Vinay Dahat, counsel for appellants.

CORAM : Manish Pitale J

DATED : 10.10.2019

This is an application filed on behalf of
acquiring body.

2. It is submitted by the applicants that since they would be bearing the burden of payment of compensation payable to the claimants and also because only the VIDC was not named as a party while the Executive Engineer was a party, leave is sought by the applicants to file appeal against the impugned judgment and order passed by the Reference Court. Notice was issued in this application on 08.07.2019 and the respondents are represented through counsel.

3. For the reasons stated in the application, the same is allowed and the applicants are granted leave to file the accompanying appeal.

CIVIL APPLICATION (St.) No. 10622 OF 2019

This is an application seeking condonation of delay of 763 days in filing accompanying appeal.

2. For the reasons stated in the application, the same is allowed and delay is condoned.

FIRST APPEAL No. /2019

Heard learned counsel for the appellants.

2. **Admit.**

3. Call for R & P.

4. Mr.Shinde, learned counsel waives notice on behalf of respondent 1A to 1H, and Smt. Hemlata Jaipurkar, learned AGP waives notice on behalf of respondents No.2 & 3.

CIVIL APPLICATION (St.) No. 10624 OF 2019

This is an application seeking stay of the impugned judgment and order passed by the Reference Court. It is pointed out that the appellants

have already deposited principal amount before this Court. Subject to the appellants depositing the balance amount in this Court within a period of eight weeks from today, there shall be stay of the impugned judgment and order passed by the Tribunal.

5. Application is disposed of.

JUDGE

KOLHE