

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

**CIVIL APPLICATION (CAF) NO. 390 OF 2019**  
**with**  
**CIVIL APPLICATION (CAO) NO. 1517 OF 2019**  
**in**  
**FIRST APPEAL (ST.) NO. 16670 OF 2016**

*[Executive Engineer Vs. Smt. Varsha Vishwasrao Kale and ors.]*

Office Notes, Office Memoranda of  
Coram, appearances, Court's Orders  
or directions and Registrar's order

Court's or Judge's Order

Mrs. A. A. Joshi, Advocate for the appellant  
Shri R. J. Shinde, Advocate for respondent nos. 1 to 3.  
Shri Nikhil Joshi, AGP for respondent nos. 4 and 5.

**CORAM : M. G. GIRATKAR, J.**

**DATE : 14/08/2019**

Heard learned Counsel Mrs. Joshi for the appellant  
and Shri Joshi, learned AGP for respondent nos. 4 and 5.

The application is opposed by Shri Shinde learned  
Counsel for respondent nos. 1 to 3.

The entire amount of compensation is deposited  
before this Court. The delay is of 840 days and the same is  
caused due to administrative difficulties.

Looking to the grounds mentioned in the  
application, the application is allowed. The delay is  
condoned. Appeal be registered.

**FIRST APPEAL (FA) NO.      OF 2019**

Heard.

Issue notice to the respondents.

Shri Shinde, learned Counsel waives notice on behalf of respondent nos. 1 to 3.

Shri Joshi, learned AGP waives notice on behalf of respondent nos. 4 and 5.

Call R & P.

**CIVIL APPLICATION (CAO) NO. 1517 OF 2019**

Heard learned Counsel Shri Shinde for respondent nos. 1 to 3. The amount of compensation of Rs.18,07,669/- is deposited before this Court and Rs.9,11,161/- is deposited before the Reference Court.

Respondent nos. 1 to 3 are permitted to withdraw 50% amount on furnishing usual undertaking and remaining 25% amount after furnishing solvent surety/security, which is deposited before this Court.

**JUDGE**

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