

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

**CIVIL APPLICATION (CAF) NO. 3404/2018 IN**  
**FIRST APPEAL STAMP NO. 22421/2018**

V.I.D.C., through its Executive Engineer, Canal Division Bembla Project, Yavatmal,  
Tq. and District Yavatmal and another.

**Vs.**

Prabhavati Arun Kunbi (Deshmukh) (dead) through legal heirs 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 S.D. Sirpurkar, AGP for the non-applicant/respondent Nos. 2 and 3.

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

**DATE: 30-01-2019.**

Heard Shri M.A. Kadu, learned counsel for the  
applicant / appellant and Shri S.D. Sirpurkar, learned AGP  
for the non-applicant/ respondent Nos. 2 and 3.

Perused the application. There is delay of 437  
days in filing the first appeal.

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

**FIRST APPEAL STAMP NO. 22421/2018.**

Heard.

**Admit.**

Call for record and proceedings.

Appellant (s) to file private paper book within six  
months.

Shri S.D. Sirpurkar, learned AGP waives service  
of notice for the respondent Nos. 2 and 3.

**CIVIL APPLICATION (CAF) NO. 3405/2018**

Heard learned counsel for the applicant/  
appellant.

Shri M.A. Kadu, learned counsel for the applicant  
/appellant has submitted that the entire decretal amount  
of compensation has been deposited in this Court and prays  
that the execution of impugned order be stayed.

In view of the statement made by the learned  
counsel for the applicant/appellant, the impugned judgment  
and award dated 05/01/2017 passed by the 3<sup>rd</sup> Joint Civil  
Judge, Senior Division, Yavatmal in L.A.C. No. 271/2012 is  
hereby stayed, until further order.

Civil application is allowed.

**JUDGE**