

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

**CIVIL APPLICATION (CAF) NO.1076/2018**  
**IN**  
**FIRST APPEAL ST. NO.25728/2017**

**Executive Engineer, Lower Wardha Canal Division, Wardha**  
**..Versus...**  
**Namdeo Bapurao Shende and others**

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Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's orders  
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Court's or Judge's orders

Ms Gayatri Reve, Counsel h/f Shri B.N. Jaipurkar, Counsel for applicant  
None for respondent nos.1 and 2, though served  
Mrs. Hemlata Jaipurkar, AGP for respondent nos.3 and 4

**CORAM : ARUN D. UPADHYE, J.**  
**DATE : 22/03/2019**

Heard learned Counsel for the applicant and learned Assistant Government Pleader for the respondent nos.3 and 4. None appears for the respondent nos.1 and 2, though served.

Perused the application.

There is a delay of 148 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.25728/2017**

Heard learned Counsel for the applicant and learned Assistant Government Pleader for the respondent nos.3 and 4. None appears for the respondent nos.1 and 2, though served.

**ADMIT.**

Learned Assistant Government Pleader Mrs. Hemlata Jaipurkar waives service of notice for the respondent nos.3 and 4.

**CIVIL APPLICATION (CAF) NO.1077/2018**

The learned Counsel for the applicant has submitted that some of the amount of compensation is deposited before the reference Court and remaining amount would be deposited in this Court within twelve weeks.

In view of the statement made on behalf of the applicant, permission to deposit the remaining amount of compensation within twelve weeks in this Court, is granted

The impugned judgment and award dated 27/3/2017 passed by the Joint Civil Judge, Senior Division, Wardha in Land Acquisition Case No.100/2015 is hereby stayed, until further orders.

**JUDGE**