

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

Civil Application (CAF) No.603 of 2020

And

Civil Application (CAF) No.2447 of 2019

IN

First Appeal (St.) No.10639 of 2019

Vidarbha Irrigation Development Corporation, through its Executive Engineer and Anr.

Vs.

Jaglal Puranlal Jariye and Others

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Shri J.B. Kasat, Advocate for the Applicants.
Shri H.D. Dubey, A.G.P for Respondent Nos.5 and 6.

CORAM : S.M. MODAK, J.

DATE : 14th SEPTEMBER, 2020.

Civil Application No. 603/2020

Hearing was conducted through Video Conferencing and the learned counsel agreed that the audio and visual quality was proper.

The applicants have failed to deposit the remaining amount as directed by this Court as per the order dated 8th July, 2019. It was due to the COVID-19 situation and compliance of the office procedure. Now, the applicants want to deposit that amount.

Though respondent No.1 is served, no one is appearing on his behalf. Respondent No.3 has refused to accept the service, so the proceedings will be conducted *ex parte*. The applicants are directed to take steps against respondent Nos.2 and 4 because service report dated 10th September, 2020 shows that they are dead.

However, the applicants can be granted permission to

deposit the remaining amount. Hence the order:-

ORDER

- i. The application is **allowed**.
- ii. The applicants are directed to deposit the remaining amount in the office.
- iii. After appearance, the respondents may verify whether the amount deposited is correct or not.
- iv. The order dated 8th July, 2019 thereby granting stay is restored subject to deposit of the amount.
- v. The application is disposed of.

Civil Application No. 2447/2019

The applicants are directed to take steps.

Matter be kept on **22nd September, 2020**.

This order be communicated to the counsel appearing for the parties, either on the email address or on WhatsApp or by such other mode, as is permissible in law.

JUDGE