

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

Civil Application (CAF) No.601 of 2020

And

Civil Application (CAF) No.4325 of 2019

IN

First Appeal (St.) No.29897 of 2018

Vidarbha Irrigation Development Corporation, through its Executive Engineer

Vs.

Govindrao s/o Kesharao Lolage through L.Rs. 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 Applicant.
Shri T.M. Malnas, Advocate for Respondent Nos. 1-A(B) to 1-A(J), 1-B, 1-C, 1-D.
Shri H.D. Dubey, A.G.P for Respondent Nos.2 to 4.

CORAM : S.M. MODAK, J.

DATE : 14th SEPTEMBER, 2020.

Civil Application No. 601/2020

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

Heard Shri J.B. Kasat, learned Advocate for the applicant, Shri T.M. Malnas, Advocate for Respondent Nos. 1-A(B) to 1-A(J), 1-B, 1-C and 1-D and Shri H.D. Dubey, learned A.G.P for respondent Nos. 2 to 4.

This Court has stayed the impugned judgment subject to deposit of the whole amount of compensation. The time granted was of twelve weeks. The order was passed on 17th January, 2020.

The applicant claims that he has deposited the principal

decretal amount before the trial Court and now the remaining amount is yet to be paid. Due to pandemic situation and due to office procedure about obtaining approvals of the superior officer, the remaining amount could not be deposited in time. The reason is genuine. Hence the order:-

ORDER

- i. The application is **allowed**.
- ii. Delay caused in depositing the remaining amount is condoned.
- iii. Applicant is permitted to deposit the remaining amount in the office.
- iv. After the amount is deposited, respondent Nos. 1-A(B) to 1-A(H), 1-A(J), 1-B, 1-C and 1-D is at liberty to verify whether entire amount has been deposited.
- v. If they will ask for the amount, it will be decided in due course.
- vi. The order dated 17th January, 2020 thereby granting stay is restored subject to deposit of the amount.
- vii. The civil application is disposed of.

Civil Application No. 4325/2019

Shri T.M. Malnas, learned Advocate for Respondent Nos. 1-A(B) to 1-A(J), 1-B, 1-C and 1-D seeks time to file reply to main application for condonation of delay. He undertakes to email the copy of reply to the applicant.

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

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