

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

CIVIL APPLICATION (F) NO. 762/2020 IN FIRST APPEAL STAMP NO. 10101/2019

VI.D.C. thr. Executive Engineer, Minor Irrigation Division, Pusad,
 Dist. Yavatmal and another.

V/s
 Sanjay Sakhrum Banginwar 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 M.A. Kadu, advocate for applicants/appellants.
 Shri S.D. Chopde, advocate for non-applicant No.1.
 Shri H.D. Dubey, AGP for non-applicant Nos. 2 and 3.

CORAM : S.M. MODAK, J.

DATE : 19.10.2020.

Hearing was conducted through video conferencing and the learned Counsel agreed that the audio and visual quality was proper.

2. The Court of Civil Judge, Senior Division, Pusad Dist. Yavatmal has enhanced the rate of compensation. The applicants want to challenge the said judgment.

3. Heard learned advocate Shri M.A. Kadu for the applicants, Shri S.D. Chopde, learned advocate for non-applicant No.1 and Shri H.D. Dubey, learned AGP for non-applicant Nos. 2 and 3.

4. For the reasons stated in the application, delay needs to be condoned. Reasons are genuine. Apart from this, the non-applicant No.1 has also filed an appeal for further enhancement of the compensation. Hence, the order.

ORDER

- a] The delay caused in preferring the appeal is condoned.
- b] Civil application is disposed of.

FIRST APPEAL ST. NO. 10101/2019.

Heard learned advocate Shri M.A. Kadu for the appellants, Shri S.D. Chopde, learned advocate for respondent No.1 and Shri H.D. Dubey, learned AGP for non-applicant Nos. 2 and 3. Respondents have appeared on their own through respective advocates so notice is dispensed with.

2. **Admit**

3. Call for record and proceedings. Notice is dispensed with.

Civil Application (CAF) No. 763/2020.

As per the order dated 06.10.2020, this Court has permitted the applicants/appellants to deposit the amount within a week. Accordingly, they have deposited the amount.

2. Stay granted earlier revived. However, due to

inadvertence, stay was not granted earlier in this matter. In view of the fact that the decretal amount is deposited. Stay needs to be granted. Hence, the stay is granted to the execution of the impugned judgment till disposal of the appeal.

3. Civil application is disposed of.

4. The order be communicated to the counsel appearing for the parties, either on the e-mail address or on WhatsApp or by such other mode, as is permissible in law.

JUDGE