

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

CIVIL APPLICATION (CAF) NO.199 OF 2019

WITH

CIVIL APPLICATION (CAF) NO.200 OF 2019

IN

FIRST APPEAL STAMP NO.10922 OF 2018

V.I.D.C. through its Executive Engineer, Wardha.

Vs.

Ramesh s/o Natthuji Kolhe and others.

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

Court's or Judge's orders

Ms. Gayatri M. Diwe, Advocate h/f Shri B. N. Jaipurkar, Advocate for applicant.

Ms. R. V. Kaliya, AGP for respondent nos.2 and 3.

CORAM : AVINASH G. GHAROTE, J.

DATE : JANUARY 07, 2020.

CIVIL APPLICATION (CAF) NO.199 OF 2019

This is an application for condonation of delay filing of appeal against the judgment and award dated 23.11.2017 passed by the 2nd Joint Civil Judge Senior Division, Wardha in reference bearing L.A.C. No.52 of 2011.

The learned Assistant Government Pleader for the respondent nos.2 and 3 opposed the application.

Considering the reasons given in the application and that, the delay occurred on account of administrative exigencies, the delay of 64 days is condoned.

The Civil Application is disposed of.

CIVIL APPLICATION (CAF) NO.200 OF 2019

By an order dated 06.03.2019 the notices were issued to respondents, returnable on 03.04.2019. The learned Assistant

Government Pleader waives notices on behalf of respondent nos.2 and 3. Copies were not supplied. The office note dated 30.04.2019 states that the appeal is dismissed against the respondent nos.1(i) and 1(ii) in default.

The learned counsel for the applicant had made a statement that principal amount was already deposited in the Reference Court and the remaining amount would be deposited within twelve weeks. This was accepted and permission was granted to deposit amount within twelve weeks. The impugned judgment / award was stayed until further orders.

Ms. Gayatri M. Diwe, learned counsel for the applicant makes a statement that the balance amount has also been deposited in the Reference Court, however proof to that effect has not been filed in the Court. The learned counsel to place on record the details regarding the deposit of the balance amount in the reference Court within a period of one week. Office to verify and take appropriate steps.

JUDGE