

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

CIVIL APPLICATION (F) NO. 3822 OF 2019
IN
FIRST APPEAL STAMP NO. 13073 OF 2019

VIDC through E.E. Bembla Canal Division, Yavatmal and another.
V/s
Shri Bhaurao Vithoba Adbaile and others.

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

Court's or Judge's Orders

Mrs. PP. Chobe, advocate for the applicant/appellants.
Shri M.A. Kadu, AGP for respondent Nos. 4 and 5.

CORAM : S.M. MODAK, J.
DATE : 02.12.2020.

Before the Reference Court, the claimant Nos. 1 to 3 have joined only Executive Engineer and not joined VIDC as party. The Executive Engineer, VIDC also intends to prefer an appeal.

2. Issue notice to respondent Nos. 4 and 5.
3. Shri M.A. Kadu, learned AGP waives notice for respondent Nos. 4 and 5.
4. I do not think that notice to the respondent Nos. 1 to 3 / original claimants for deciding this application is required. Hence, the applicant/appellant No.1 - VIDC is granted permission to prefer an appeal alongwith Executive Engineer.
5. Civil application is disposed of.

Civil Application Stamp No. 13075/2019

The Reference Court as per the judgment dated 22.11.2018 was pleased to enhance the amount of compensation. The Executive Engineer, VIDC is aggrieved. There is a delay in preferring an appeal.

2. Issue notice to the respondents, returnable in first week of January-2021.

3. Learned AGP Shri M.A. Kadu waives notice for respondent Nos. 4 and 5.

Civil Application Stamp No. 13076/2019

It is submitted that principle amount as ordered by the learned Reference Court is deposited before the learned Reference Court.

2. Stay is granted to the execution of the impugned judgment till appearance of the original claimants.

3. Issue notice to respondents, returnable in first week of January-2021.

4. Shri. M.A. Kadu, learned AGP waives notice for respondent Nos. 4 and 5.

JUDGE