

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

CIVIL APPLICATION (O) NO. 624/2020 IN CIVIL APPLICATION (F) NO. 3437/2019
IN FIRST APPEAL STAMP NO. 13820/2019

Executive Engineer, Madhyam Prakalpa Vibhag, Yavatmal.

Versus

Dudhram Lshkar Rathod and others.

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

Court's or Judge's Orders

Ms. Ira P Khisti, Advocate for applicant/appellant.
Shri H.D.Dubey, AGP for respondent Nos. 2 and 3.

CORAM : S.M. MODAK, J.

DATE : 22.09.2020.

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

2. The applicant/appellant could not deposit the amount of compensation within the period granted by this Court. For the reasons mentioned in the application, they are genuine. Hence, the order :-

ORDER

- a] The applicant/appellant is permitted to deposit the amount of compensation within seven days.
- b] Stay granted earlier be revived subject to deposit.
- c] Civil application stands disposed of.

Civil application No. 3437/2019

Heard learned Advocate Ms I.P. Khisti, for applicant / appellant.

2. Respondent No.1 is duly served, but has not appeared.

The hearing proceeded ex-party against him.

3. The respondent Nos. 2 and 3 are represented by learned A.G.P. Shri H.D. Dubey.

4. The impugned judgment came to be passed by the Court of Civil Judge, Senior Division, Darwha on 15.04.2017.

5. The applicant/appellant took time to complete the office procedure and hence could not prefer the appeal in time. There is a delay of 676 days and it is properly explained. Hence, the order:-

ORDER

- i) Delay in preferring the appeal is condoned.
- ii) Civil application stands disposed of.

First Appeal Stamp No. 13820/2019

Heard.

2. **Admit.**

3. Call for record and proceedings.

4. Shri H.D. Dubey, learned A.G.P. waives notice for respondent Nos. 2 and 3.

JUDGE