

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

CIVIL APPLICATION (CAF) NO.803/2020

IN

FIRST APPEAL (ST) NO.332/2020

Executive Engineer, Van Project, Vidarbha Irrigation Development Corporation, Buldhana
Vs.

Krushnakumar S/o. Shankarlalji Jhunjhunwala and Ors.

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

Court's or Judge's orders

Mr. R. D. Kalra, Advocate for Appellant/applicant.
Ms Shamsi Haider, A.G.P. for Respondent/Non-applicant- No.10.

CORAM : M. S. SONAK, J.

DATE : 09/12/2021.

Heard Mr. R. D. Kalra, learned Counsel for the
applicant and Ms Shamshi Haider, learned Assistant
Government Pleader for respondent No.10.

The respondent Nos.1 to 9 are served but are
neither present nor represented.

Mr. R. D. Kalra, learned Counsel for the applicant
submits that application for condonation of delay made by
this very applicant on identical grounds have been allowed by
this Court vide order dated 04.12.2021 made in Civil
Application No.817/2020.

Having regard to the aforesaid, as also the fact that
this application have not been contested by the respondent
Nos.1 to 9, that the delay of 344 days in instituting this
appeal is hereby condoned.

The Civil Application is disposed of in the aforesaid

terms.

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In this case, the application for condonation of delay in instituting the appeal has been allowed.

The appeal is therefore admitted.

Call for records and proceedings.

CIVIL APPLICATION (CAF) NO.804/2020.

Ad interim stay is granted to the execution of the impugned award by accepting the statement of the learned Counsel for the applicant that the principal amount has already been deposited before the Reference Court and the balance amount including interest will be deposited before the Reference Court itself within eight weeks from today.

The learned Counsel for the applicant assures to this Court that the amount will indeed be deposited within eight weeks and there will be no occasion to ask for any extension of time. In any case, if there is no deposit made within eight weeks, then the *ad interim* relief stands vacated without further reference to this Court.

Place this application for interim relief for confirmation after eight weeks.

(M. S. SONAK, J.)

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