

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

Civil Application (CAF) No.296/2020
IN
First Appeal Stamp No.3820/2019

VI.D.C. through its Executive Engineer, Yavatmal & Anr. **Vs.** Pradip Jagannath Zade & Ors.

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

Court's or Judge's Orders

Shri J.B. Kasat, Advocate for the Appellants.
Shri R.J. Shinde, Advocate for Respondent No.1.
Shri M.A. Kadu, AGP for Respondent Nos.2 and 3.

CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATE : 26th FEBRUARY, 2021.

This is an application for condonation of delay of 523 days in filing the appeal against the judgment and award dated 20/02/2017 passed by the Reference Court in L.A.C. No.218/2013.

With consent, delay is condoned.

The civil application stands disposed of.

Appeal be registered after removing office objections, if any.

Civil Application (CAF) No.297/2020

Learned Counsel for the applicants states that the entire amount of compensation has been deposited.

In the light of the said statement, execution and implementation of the impugned judgment and award is stayed till the disposal of the appeal.

The civil application stands disposed of.

Civil Application (CAF) No.210/2021

The respondent No.1/original claimant has filed this application for withdrawal of amount of the compensation deposited by the Appellants – Acquiring Body.

In view of the reasons stated in the impugned judgment and the grounds raised in the appeal memo, 50% of the compensation deposited by the Appellants – Acquiring Body is ordered to be paid to respondent No.1/original claimant on usual undertaking before Registrar (Judicial).

The civil application stands disposed of.

First Appeal Stamp No.3820/2019

Heard. Arguable points are raised. Hence, admit.

Shri R.J. Shinde, learned Counsel waives service of notice on behalf of respondent No.1 and Shri M.A. Kadu, learned AGP waives service of notice on behalf of respondent Nos.2 and 3.

Call for the record and proceedings.

Paper-book to be filed within six months.

(SMT. ANUJA PRABHUDESSAI, J.)