

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

Civil Application [CAF] No.569 of 2021
in
First Appeal St.No.2752 of 2020

Vidarbha Irrigation Development Corporation
vs.
Gopal s/o Deorao Talvekar & others

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

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Court's or Judge's Orders

*Shri A.M. Kukday, Advocate for the Applicant-Appellant.
 Ms. H.N. Jaipurkar, A.G.P. for Respondent Nos.2 & 3.*

CORAM : S.M. MODAK, J.
DATE : 22nd JUNE, 2021.

Hearing was conducted through Video Conferencing and the learned Counsel agreed that the audio and visual quality was proper.

Heard.

Today the matter has come up for the first time. There is delay of 50 days caused in preferring the appeal. The appellant took time in obtaining an opinion for preferring an appeal and making arrangement for the finances for the court fee. The delay is satisfactorily explained.

Ms. Jaipurkar, learned A.G.P. waives notice for respondent Nos.2 & 3.

Even if, notice will be issued to respondent No.1-claimant, this Court is going to condone the delay even after appearance. So in order to save the time, the delay can be condoned today itself subject to costs of Rs.500/- to be paid to respondent No.1. Hence, the order :

The delay of 50 days in preferring an appeal is condoned subject to payment of costs of Rs.500/- (Rupees Five Hundred Only) to be paid to respondent No.1 within a period of one month from today. The costs be deposited in the Office of this Court.

First Appeal St. No.2752/2020:

Heard.

Admit.

Learned A.G.P. Ms. Jaipurkar waives notice for respondent Nos.2 & 3.

Issue notice to respondent No.1, returnable after eight weeks

Call for record and proceedings.

Civil Application [CAF] No.570/2021:

Heard.

Stay is granted to the execution and implementation of the impugned judgment and award subject to deposit of the entire decretal amount within a period of eight weeks.

The application is disposed of.

JUDGE

**sandesh*