

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

Civil Application (CAF) No.1129/2021
IN
First Appeal Stamp No.3778/2021

Executive Engineer, Madhyam Prakalpa Vibhag, Yavatmal Vs. Deorao Mansingh Pawar & Ors.

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 the Applicant/Appellant.
Ms. H.N. Jaipurkar, AGP for Respondent Nos.2 and 3.

CORAM : S.M. MODAK, J.
DATE : 19th JUNE, 2021.

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

There is delay of 476 days in preferring an appeal against the judgment and award of the Reference Court, Darwaha.

Issue notice to the respondents.

Learned Advocate Shri S.V. Ingole waives service for respondent No.1 and learned AGP Ms. H.N. Jaipurkar waives service for respondent Nos.2 and 3.

There is an opposition for condoning the delay. The judgment delivered on 13th August, 2019. The certified copy of the judgment received on 14th January, 2020. The appellant took time in making the arrangement for the court fee. The reasons are genuine. Hence, the delay of 476 days in preferring an appeal is condoned.

The civil application is disposed of.

First Appeal Stamp No.3778/2021

Heard.

Admit.

Call for record and proceedings.

Issue notice to the respondents.

Learned Advocate Shri S.V. Ingole waives service for respondent No.1 and learned AGP Ms. H.N. Jaipurkar waives service for respondent Nos.2 and 3.

Civil Application (CAF) No.1130/2021

Stay is granted to the execution of the impugned judgment and award, subject to deposit the entire decretal amount in this Court within a period of three months.

The civil application is disposed of.

The claimant is at liberty to apply for withdrawal.

JUDGE