

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

CIVIL APPLICATION NO. 1835 OF 2019

IN

FIRST APPEAL (ST.) NO. 22081 OF 2018

(Executive Engineer, V.I.D.C., Yavatmal Vs. Chanda Vilas Bhagat & ors.)

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

Court's or Judge's Order

Ms. Riddhi Trivedi, Advocate h/f Shri Purushottam Patil,
Advocate for the appellant.
Shri S.U. Bhuyar, Advocate for respondent No.1.
Mrs. M.H. Deshmukh, A.G.P for respondent Nos.2 & 3.

CORAM:- PUSHPA V. GANEDIWALA, J.

DATED :- AUGUST 18, 2021

Heard.

Perused the application.

By way of this application, the appellant –
V.I.D.C. is seeking condonation of delay of 361 days in
filing the present appeal.

Learned counsel for respondent No.1 opposed
the application for want of sufficient reasons.

Considering the reasons as mentioned in
paragraph Nos.2 and 3 of the application and the same
found to be sufficient, the delay of 361 days caused in
filing of first appeal is condoned. The application is
allowed.

First Appeal No. _____

Heard.

Issue notice to the respondents, returnable in four weeks.

Shri Bhuyar, learned counsel for respondent No.1 and Mrs. Deshmukh, learned Assistant Government Pleader for respondent Nos.2 and 3, waive notice.

Admit

Call for R. & P.

Civil Application No. 1567/2021

Heard.

Perused the application.

It is stated that the appellant – VI.D.C. has deposited a decretal amount of Rs.4,39,096/- with the Registry of this Court vide Cheque of Bank of Maharashtra, bearing No. 062229 dated 03/10/2019 and accordingly Pursis stamp No.13605/2019 dated 07/10/2019 is placed on record.

Considering the reasons as stated in paragraph No.4 of the application, the original claimant/respondent No.1 is permitted to withdraw 75% of the decretal amount with accrued interest thereon subject to furnish usual undertaking.

The civil application is disposed of.

JUDGE