

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

Civil Application (CAF) No.743/2021
IN
First Appeal Stamp No.9239/2020

The Executive Engineer, Medium Irrigation Project, Yavatmal Vs. Nagorao mansing Pawar & Ors.

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

Court's or Judge's Orders

Shri Purushottam Patil, Advocate for the Applicant/Appellant.
Shri S.V. Ingole, Advocate for Respondent No.1.
Shri M.A. Kadu, 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.

Heard.

Issue notice to the respondents.

Learned Advocate Shri S.V. Ingole waives service for respondent No.1 and learned AGP Shri M.A. Kadu waives service for respondent Nos.2 and 3.

There is a delay of 267 days in challenging the judgment and award passed by the Reference Court, Darwha. It is opposed on behalf of the respondents. There was shortage of staff due to pandemic situation, the appeal could not be filed in time. It is satisfactorily explained. Hence, the delay of 267 days in filing the appeal is condoned.

The civil application is disposed of.

First Appeal Stamp No.9239/2020

Heard.

Admit.

Issue notice to the respondents.

Learned Advocate Shri S.V. Ingole waives service for respondent No.1 and learned AGP Shri M.A. Kadu waives service for respondent Nos.2 and 3.

Call for record and proceedings.

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

The original claimant is at liberty to apply for withdrawal.

JUDGE

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