

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

CIVIL APPLICATION NO. 1585 OF 2021

IN

FIRST APPEAL NO. 394 OF 2021

(V.I.D.C., Amravati & anr. Vs. Shantabai Krushnarao Kadhane and others.)

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

Court's or Judge's Order

Shri M.A. Kadu, Advocate with Ms. Mallika Babhulkar,
Advocate for the appellant.
Shri S.S. Shingane, Advocate for respondent No. 1.
Shri A.M. Kadukar, Advocate for respondent Nos.5 & 6.

CORAM:- PUSHPA V. GANEDIWALA, J.
DATED :- AUGUST 24, 2021

Heard.

2. By way of this application, the appellant is seeking permission to deposit the decretal amount and grant of stay.

3. It is stated that vide order dated 03/05/2021, this Court while granting ad-interim stay to the execution and operation of the impugned judgment and decree, directed the appellant to deposit the decretal amount within a period of 12 weeks before this Court.

4. As the appellant could not deposit the decretal amount within a stipulated period, the appellant is seeking permission to deposit the same with the Registry of this Court.

5. Considering the reasons as mentioned in the application, the application is allowed. The appellant to deposit an amount within a period of one week from the date of this order. Thereafter, there shall be ad-interim stay until further order.

6. The application stands disposed of.

CIVIL APPLICATION (ST.) NO. 9247/2021

Heard.

By way of this application, the claimants/respondent Nos.1 to 4 are seeking exemption in payment of Court fee till the decision of this Court in Writ Petition No.4043/2019. It is pending before this Court at Aurangabad Bench.

It is stated that the claimants in First Appeal No. 394/2021 have also been exempted for the time being for payment of Court fee vide order dated 03/05/2021.

Considering the aforesaid submission, the claimants are exempted for payment of court fee subject to the outcome of the Writ Petition No. 4043/2019.

The application stands disposed of.

CROSS-OBJECTION (ST.) NO. 9246/2021

Heard.

Issue notice to the respondents, returnable after four weeks.

Shri A.M. Kadukar, learned Assistant Government Pleader for respondent Nos.5 and 6 and Shri

M.A. Kadu, learned counsel for the appellant/respondent
Nos.1 and 2, waive notice.

FIRST APPEAL NO. 394/2021
AND
CROSS-OBJECTION (ST.) NO. 9246/2021

Heard.

Admit.

Call for R. & P.

The appellant - V.I.D.C. to file private paper
book within a period of six months.

JUDGE

**DB*