

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

CIVIL APPLICATION (CAF) NO.4444 OF 2019 IN
FIRST APPEAL STAMP NO. 10911 OF 2019

The Executive Engineer, Purna Medium Project, Achalpur Division, Dist. Amravati
Vs.

Smt. Kausalyabai Narayanrao Geranj through LRs Yadav s/o Narayanrao Geranj & Ors.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Shri Nikhil Waghmare, Advocate h/f Shri P.B. Patil, Advocate for appellant.
Shri R.J. Shinde, Advocate for respondent nos.1 to 3.
Ms H.N. Jaipurkar, AGP for respondent nos.4 and 5.

CORAM : PUSHPA V. GANEDIWALA, J.
DATE : 4th OCTOBER, 2021.

Heard.

2. Perused the contents in the application.
3. The applicant-VIDC is seeking condonation of delay of 1191 days in filing the first appeal.
4. The reasons are mentioned in para nos.3 to 7 of the application. The delay appears that to be mainly due to procedural requirements. However, it appears that at the every stage of the procedure there is considerable and explained delay. Hence, the application is allowed, however, subject to costs of Rs.3,000/- to be paid to the claimant, within a period of three weeks. The appeal be registered.
5. The application stands disposed of.

FIRST APPEAL STAMP NO. 10911 OF 2019

6. Heard.

7. **ADMIT.**

8. Shri R.J. Shinde, learned counsel waives service of notice for respondent nos.1 to 3.

9. Ms H.N. Jaipurkar, learned AGP waives service of notice for respondent nos.4 and 5.

10. Call for record and proceedings.

CIVIL APPLICATION (F) NO.4445 OF 2019

11. As the entire decretal amount has been deposited by the appellant vide CCDR No.28482 the ad interim stay operating against the impugned judgment dated 31.10.2015 passed by the learned Joint Civil Judge Senior Division, Achalpur in Land Acquisition Case No.38 of 2007 is hereby confirmed, subject to decision of this first appeal.

12. The application stands disposed of.

JUDGE

Wagh