

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

Civil Application (CAF) No.1171 of 2019
IN
First Appeal Stamp No.11332 of 2018

Executive Engineer, Nimna Project **Vs.** Narayan Tanba Raut (Deleted) Sushila Narayan Raut &
Ors.

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

Court's or Judge's Orders

Smt. A.S. Athalye, Advocate for the Appellant.
Shri P.M. Pandey, Advocate for Respondent No.1.
Ms. Shamshi Haider, AGP for Respondent Nos.4 and 5.

CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATE : 12th JANUARY, 2021.

By this application, the applicant has sought to condone the delay of 191 days in filing the appeal against the judgment and award dated 22nd April, 2016 passed by the Reference Court in L.A.C. No.176/2013.

In view of the reasons stated in paragraphs 4 and 5 of the application, the application is allowed. Delay is condoned, subject to the condition that the applicant shall not be entitled for any interest from the date of the impugned judgment till the date of the application. Appeal be registered subject to removal of office objections, if any.

The delay condonation application stands disposed of in above terms.

Shri P.M. Pandey, learned counsel waives service of notice on behalf of respondent No.1 and Ms. Shamshi Haider, learned AGP waives service of notice on behalf of respondent Nos.4 and 5.

Civil Application (CAF) No.1172/2019

The learned counsel for the appellant states that, as per the impugned judgment and award part of the amount has been deposited before Reference Court and balance amount has been deposited before this Court.

In the light of the said submission, execution and implementation of the impugned judgment is stayed till the disposal of the appeal.

The civil application stands disposed of.

The matter be listed for admission after **four weeks**.

(SMT. ANUJA PRABHUDESSAI, J.)