

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

Civil Application (F) No. 108 /2020 in F.A. St No.12694/2019

Chief Executive Engineer, Madhyam Prkalp V Tikaram Rathod and others

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

Court's or Judge's Orders

Smt. I.P. Khisti, Adv for appellant.
 Shri S. Ingole, Adv for respondent no.1.

CORAM : S.M. MODAK, J.

DATE : 18th JUNE, 2021.

Hearing was conducted through Video Conferencing and the learned Counsel agreed that the audio and visual quality was proper.

Heard.

There is a delay of 656 days in preferring an appeal.

Issue notice to the respondents.

Learned Advocate Shri Ingole, waives notice for respondent no.1.

Learned AGP Shri Kadu, waives notice for respondent nos. 2 and 3.

There is a delay of 656 days in preferring an appeal. The judgment was delivered on 13-04-2017 and copy was supplied on 26-04-2017 and delivered on 17-06-2017. The appellant took time to make arrangement for Court fees. The prayer is opposed on behalf of the respondent no.1. However, the reasons are

convincing. Hence, the delay of 656 days in preferring an appeal is condoned.

Application is disposed of.

First Appeal St. No.12694/2019

Heard.

Issue notice to the respondents.

Learned Advocate Shri Ingole, waives notice for respondent no.1.

Learned AGP Shri Kadu, waives notice for respondent nos. 2 and 3.

Copies of the appeal memo be supplied to other side.

Admit.

Call R and P.

Civil Application (F) No.109/2020

Heard both the sides.

Stay is granted to the execution of the impugned judgment and decree subject to deposit of entire decretal amount within the period of 12 weeks.

2. Application is disposed of.

3. The respondent no.1 is at liberty to ask for its

withdrawal and it will be considered on merits.

JUDGE

Deshmukh