

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

Civil Application (F) No.135/2020 in First Appeal St No.12932/2019

VIDC Executive Engineer, Bembla Project and another V Surendra Kalmegh and others

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

Court's or Judge's Orders

Shri J.B . Kasat, appellant.

Shri M.A. Kadu, AGP for resp. nos. 2 and 3.

CORAM : S.M. MODAK, J.

DATE : 16th JUNE, 2021.

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

2. The Executive Engineer of VIDC was a party before the Reference Court. VIDC was not a party. They want to prefer an appeal along with the Executive Engineer. No doubt it is required. There is no need to issue notice to the respondents. Hence, VIDC is granted leave to prefer an appeal.

3. Copy of application be served on the respondents.

4. Application is disposed of.

Civil Application (St) No.12933/2019

There is a delay of 88 days in preferring an appeal.

2. Issue notice to the respondents, returnable after 8 weeks.
3. Learned AGP Shri Kadu, waives notice for the respondent nos. 2 and 3.

Civil Application (St) No.12935/2019

Stay is granted to the execution of the impugned judgment and decree subject to deposit of entire decretal amount within the period of 10 weeks.

2. Application is disposed of.
3. The claimants are at liberty to ask for its withdrawal and it will be considered on merits.

JUDGE

Deshmukh