

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

Civil Application [CAF] No.156 of 2020
in
First Appeal St. No.14547 of 2019

Vidarbha Irrigation Development Corporation & another
vs.
Malkarjun Vithuappa Bhende & others

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

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Court's or Judge's Orders

Shri J.B. Kasat, Advocate for the Applicants-Appellants.
Ms. H.N. Jaipurkar, A.G.P. for Respondent Nos.2 & 3.

CORAM : S.M. MODAK, J.
DATE : 17th JUNE, 2021.

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

Heard learned Advocate Shri Kasat for the applicants and learned A.G.P. Ms. Jaipurkar for respondent Nos.2 & 3.

The Executive Engineer was party before the Reference Court and the claimant has not made V.I.D.C. as a party. They are the necessary parties. They intend to prefer an appeal along with the Executive Engineer. There is no need to issue notice to the claimant.

Hence, leave to prefer an appeal is granted. Appeal be registered. The application is allowed and disposed of.

Civil Application St. No.14548/2019 :

Heard.

There is a delay of 713 days in preferring an appeal.

Issue notice to the respondents, returnable after ten weeks.

Ms. H.N. Jaipurkar, learned A.G.P. waives notice for respondent Nos.2 & 3.

Civil Application St. No.14550/2019 :

Heard.

Stay is granted to the execution and implementation of the impugned judgment and award dated 03/05/2017 subject to deposit of the entire decretal amount within a period of three months.

The claimant will be at liberty to move an application for withdrawal of the amount and the same will be considered on merits.

The application is disposed of accordingly.

JUDGE

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