

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

CIVIL APPLICATION (F) NO. 685 OF 2021
IN FIRST APPEAL ST. NO. 18649 OF 2018

(Vidarbha Irrigation Development Corporation & Anr. Vs. Gunwantrao Kashiraoji Burghate & Ors.)

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

Court's or Judge's orders.

Shri J.B. Kasat, Advocate for the appellants.
Shri R.J. Shinde, Advocate for respondent No.1.
Ms. H.N. Jaipurkar, A.G.P for respondent Nos.2 and
3.

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CORAM : PUSHPA V. GANEDIWALA, J.
AUGUST 21, 2021.

Heard.

2] This is an application filed on behalf of
the appellants seeking condonation of 861 days delay
caused in filing the First Appeal.

3] It is submitted that this Court in other
connected Appeal has condoned the delay.

4] Given the aforesaid submission, so also
considering the reasons mentioned in para 2 and 3 of
the application, the same is allowed. Delay of 861
days caused in filing the First Appeal stands
condoned. Appeal be registered.

FIRST APPEAL NO...../2021.

5] Admit.

6] Shri Shinde, learned counsel, waives service of notice for respondent No.1.

7] Ms. Jaipurkar, learned A.G.P, waives service of notice for respondent Nos.2 and 3.

8] Call R & P

CIVIL APPLICATION (F) NO. 1549/2021.

9] This is an application seeking withdrawal of amount deposited by the appellants.

10] On due consideration, the application is allowed. The applicant/ respondent No.1 is permitted to withdraw 75% of the decretal amount along with interest on furnishing usual undertaking before the Registrar (Judicial).

11] Civil Application stands disposed of.

CIVIL APPLICATION (F) NO. 686/2021.

12] This is an application for grant of stay.

13] As the entire decretal amount has already been deposited by the appellants, there shall be a stay to the effect and operation of the impugned judgment and award dated 01/01/2016 passed by the Joint Civil Judge Senior Division, Achalpur in

Land Acquisition Case No. 36/2007, pending decision of this Appeal.

14] Civil Application stands disposed of.

JUDGE

Sumit