

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

Civil Application (F) No.2090/2019 in First Appeal St No.26085/2018

VIDC Executive Engineer, Akola V Ramkrishna Mahalle thr Lrs and others

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

Court's or Judge's Orders

Mrs U.A. Patil, appellant.
 Shri M.A. Kadu, AGP for resp. nos.2 and 3.
 Shri P.R. Agrawal, Adv for resp. nos.1(A) to 1(I).

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. Heard both the sides.

3. 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.

4. Copy of application be served on the respondents.

5. Application is disposed of.

Civil Application (F) No.3708/2019

Heard learned Advocate Mrs. Patil for the

appellant, learned Advocate Shri Agrawal for respondent nos. 1(A) to 1(I) and learned AGP Shri Kadu for respondent nos. 2 and 3.

2. There is a delay of 251 days in preferring an appeal. The delay is opposed on behalf of the contesting respondents. The delay is satisfactorily explained. They took time in completing the office procedure.

3. Hence, the delay of 251 days in preferring an appeal is condoned.

4. Application is disposed of.

Civil Application (F) No.3709/2019

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 before this Court.

2. Application is disposed of.

3. The claimants are at liberty to ask for its withdrawal and it will be considered on merit.

First Appeal St. No.26085/2018

Issue notice before admission to the respondents.

2. Learned Advocate Shri Agrawal, waives notice for respondent nos. 1(A) to 1(I).

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

4. Matter is kept on 22-06-2021 for hearing on the appeal as well as on withdrawal application.

Cross Objection (St.) No.2112/2021

Learned Advocate Shri Agrawal undertakes to remove the objections taken by the office in the cross objection.

2. Matter is kept on 22-06-2021.

JUDGE

Deshmukh