

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

CIVIL APPLICATION (F) NO.2642 OF 2019 IN
FIRST APPEAL STAMP NO. 26118 OF 2018

V.I.D.C. through Executive Engineer, Minor Irrigation Division, Washim
and another Vs. Ashok Kewalram Pawar and others

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

Court's or Judge's orders.

Shri H.D. Marathe, Advocate for appellants.
Shri R.J. Shinde, Advocate for respondent no.1
Shri A.M. Kadukar, A.G.P. for respondent nos.2 and 3.

CORAM : PUSHPA V. GANEDIWALA, J.
DATE : 17th AUGUST, 2021.

Heard.

2. This is an application for condonation of delay caused in filing the appeal.

3. Considering the reasons mentioned in para 3 of the application, the delay of 161 days caused in filing the present appeal is condoned. Appeal be registered.

4. The application stands disposed of.

FIRST APPEAL STAMP NO. 26118 OF 2018

5. Heard.

6. **ADMIT.**

7. Shri R.J. Shinde, learned counsel waives service of notice on behalf of respondent no.1.

8. Shri A.M. Kadukar, learned A.G.P. waives service of notice on behalf of respondent nos.2 and 3.

9. Shri H.D. Marathe, learned counsel for the appellants submits that appellant has deposited entire decretal amount with interest on 18.01.2021 with the Registry of this Court.

10. Considering the above submission, there shall be ad interim stay to the effect and operation of the impugned judgment and order dated 08.09.2017 passed by learned Civil Judge, Senior Division, Link Court, Mangrulpir in L.A.C. No.353 of 2013, until further orders.

11. Call for record and proceedings.

CIVIL APPLICATION (F) NO.764 OF 2021

12. Heard.

13. By this application, respondent no.1 is seeking permission to withdraw the amount deposited by the appellants as per judgment and award dated 08.09.2017.

14. In view of the reasons stated in the application, respondent no.1 is permitted to withdraw 75% amount of

compensation on furnishing usual undertaking before the Registrar (Judicial).

15. The application stands disposed of.

JUDGE

Wagh