

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

Civil Application (CAF) No.2452 of 2019
IN
First Appeal Stamp No.29784 of 2018

Executive Engineer VI.D.C. Nimna Painganga Project **Vs.** Mangesh Vijay Sawarkar &
Ors.

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

Court's or Judge's Orders

Mrs. Ira P. Khisti, Advocate for the Appellant.
Shri R.M. Pande, Advocate h/f Shri P.M. Pandey, Advocate for Respondent No.1.
Ms. T.H. Udeshi, AGP for Respondent Nos.2 and 3.

CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATE : 14th JANUARY, 2021.

By this application, the applicant has sought to condone the delay of 524 days in filing the appeal against the judgment and award dated 07/02/2017 passed by the Reference Court in L.A.C. No.512/2011.

In view of the reasons stated in paragraphs 3 and 4 of the application, which in my considered view constitute sufficient cause to condone the delay, application is allowed. Delay is condoned subject to payment of costs of Rs.5,000/- to be paid to Vidarbha Lady Lawyers Association High Court Bar Association, Nagpur.

The civil application stands disposed of.

Appeal be registered after removing office objections, if any.

Civil Application (CAF) No.2454/2019

By this application, the applicant seeks stay to the execution and implementation of the impugned judgment and award dated

07/02/2017 passed by the Reference Court in L.A.C. No.512/2011.

Learned counsel for the appellant states that the principal amount has been deposited before the Reference Court and interest component has been deposited before this Court.

In the light of the said statement, execution and implementation of the impugned judgment and award is stayed till the disposal of the appeal.

The civil application stands disposed of.

First Appeal Stamp No.29784 of 2018

Shri R.M. Pande, learned counsel h/f Shri P.M. Pandey, learned counsel waives service of notice on behalf of Respondent No.1 and Ms. T.H. Udeshi, learned AGP waives service of notice on behalf of respondent Nos.2 and 3.

The appeal be listed for admission after **four weeks**.

(SMT. ANUJA PRABHUDESSAI, J.)