

Iresh

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 3248 OF 2019
IN
REJECTED CASE NO. 1678 OF 2019**

The Executive Engineer Nandur
Madhyameshwar Prkalpa Division, NashikApplicant

V/s.

Shri Murlidhar Narayan Nadekar and OrsRespondents

None for the Applicant
Mr. N. B. Patil, AGP for Respondent-State.

**CORAM : GAURI GODSE, J.
DATE : 12th September, 2022.**

P.C.

1. This Application is filed for condonation of delay and restoration of First Appeal. First Appeal was filed by acquiring body for challenging common Judgment and Award dated 13th September 2012 passed by 3rd Jt. Civil Judge Senior Division, Nashik. The Applicant challenges the order of compensation granted to the Respondents-Claimants. Today none appears for the Applicant. Since the impugned Judgment and Award is of the year 2012, I find it necessary to direct the Applicants to deposit the entire amount of compensation, if not yet

deposited as a condition for grant of present Interim Application.

2. Hence, following order:

(i) Subject to Applicant depositing the entire amount as per the impugned Judgment and Award (if not yet deposited) within a period of 6 weeks from today, Interim Application is allowed in terms of prayer clause (a) & (b) which read thus:

“(a) Delay of 133 days caused in filing this Civil Application be condoned;

(b) Be pleased to restore to the file First Appeal (Stamp) No. 7404 of 2016 (Rejected case no. 1678 of 2019) along with Civil Application for Condonation of Delay No. 3835 of 2016 & Civil Application for Stay No. 3836 of 2016.”

3. Applicant to file compliance affidavit after complying the directions as per clause (i) above.

4. After compliance affidavit is filed, list the Application for condonation of delay in filing the First Appeal on 14th November 2022.

[GAURI GODSE, J.]