

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

Civil Application No. 1162 of 2021
in
First Appeal St. No. 9035 of 2020

VIDC Chief Executive Engineer, Yavatmal

Versus

Geetabai Narayan Gadge (Late) through her legal heirs and others

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri Amit M. Kukday, Advocate for the Appellant.
Shri S.V.Ingole, Advocate for the respondent no.1.
Shri Harshal Dubey, AGP for the respondent no.2 and 3.

CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATE : 7th JANUARY, 2022.

By this application, the Applicants have sought to condone the delay of 196 days in filing the appeal under Section 54 of the Land Acquisition Act, 1894.

2. The learned counsel for the respondent no.1 and learned AGP for the respondent nos. 2 and 3 have no objection for condoning the delay. In the light of the said statement and in view of the reasons stated in the application, the delay is condoned. The civil application is disposed of.

Civil Application (CAF) No. 62 of 2022

3. By this application, the respondent no.1 has sought withdrawal of compensation deposited by the appellant as per the judgment and award dated 14th November, 2019 in the Land Acquisition Case No. 306 of 2012.

4. Having considered the reasons stated in the application, 50% amount along with interest accrued interest thereon, is ordered to be paid to the respondent no.1, subject to filing an undertaking that the amount alongwith interest will be refunded in the event the appellant succeeds in the appeal.

5. The application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)

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