

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

Civil Application (CAO) No.711/2021
IN
Cross-Objection Stamp No.179/2020
IN
First Appeal No.986/2017

Executive Engineer, K.P. Prkalp Deulgaon Raja, Buldhana Vs. Gambhirrao Raosaheb Wayal & Ors.

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

Court's or Judge's Orders

Shri Abhijit Parihar, Advocate for the Appellant.
Shri D.S. Mapari, Advocate for Respondent Nos.1 & 2/Cross-objectors.
Shri H.D. Dubey, AGP for Respondent No.3.

CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATE : 5th JANUARY, 2022.

01] By this application, the Applicants/Cross-objectors have sought to condone the delay of 813 days in filing the cross-objection.

02] Learned counsel for Respondent Nos.1 and 2/Cross-objectors, under instructions, makes statement that Respondent Nos.1 & 2 will not claim any interest for the delayed period i.e. 813 days. In the light of the said statement, learned counsel for the Appellant has no objection for condonation of delay. Hence, the application is allowed. Delay is condoned. Civil application stands disposed of in above terms. Cross-objection be registered.

Cross-Objection Stamp No.179/2020

03] Heard.

04] Cross-objection **admitted**.

05] Shri D.S. Mapari, learned counsel waives service on

behalf of Respondent Nos.1 and 2/Cross-objectors and Shri H.D. Dubey, learned AGP waives service on behalf of Respondent No.3.

Civil Application (CAF) No.457/2020

06] Respondent Nos.1 and 2 have filed this application for vacating the stay order dated 23.12.2016. The appeal is already dismissed as withdrawn. Hence, the stay order stands vacated with withdrawal of the appeal. No fresh order is required to pass. Civil application stands disposed of.

Civil Application (CAF) No.225/2020

07] Shri Abhijit Parihar, learned counsel for the Appellant/Acquiring Body states that the balance amount will be deposited on or before the next date. The Application for withdrawal of amount will be considered after depositing the balance amount.

08] Stand over to 17th January, 2022.

(SMT. ANUJA PRABHUDESSAI, J.)

Vijay