

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

CIVIL APPLICATION (CAF) NO.271/2021

IN

FIRST APPEAL ST. NO.1451/2020

Vidarbha Irrigation Development Corporation Through the Executive Engineer,
Irrigation Department, Wardha and another

...Versus...

Shri Yeshwant s/o Shridhar Urkudkar and others

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

Court's or Judge's orders

Shri Gosavi, Advocate h/f Smt. J.J. Alkari, Advocate for applicants
Shri M.A. Kadu, AGP for respondent nos.2 and 3

CORAM : AVINASH G. GHAROTE, J.

DATE : 22/11/2022

This civil application seeks leave to file appeal. Though the respondent no.1 is served, none appears. Learned Assistant Government Pleader Shri Kadu appears for the respondent nos.2 and 3. Since the applicant - Vidarbha Irrigation Development Corporation is the authority for whom the acquisition is made, accepting the reasons given in the civil application, the same is allowed. Leave to file appeal is granted.

CIVIL APPLICATION (CAF) NO.37/2022

The civil application seeks condonation of delay of 360 days in filing the first appeal. Though the respondent no.1 is

served, none appears. Learned Assistant Government Pleader Shri Kadu appears for the respondent nos.2 and 3.

Considering the quantum of delay and accepting the reasons given in the civil application, the same is allowed. Delay of 360 days in filing the first appeal is condoned. Office to register the appeal.

FIRST APPEAL ST. NO.1451/2020

Issue notice to the respondents, returnable in two weeks.

Learned Assistant Government Pleader Shri Kadu waives service of notice for the respondent nos.2 and 3. Appellants to serve the respondent no.1 by all modes of service permissible in law.

Call record and proceedings. The appellants shall also file private paper-book within a period of two weeks from today.

CIVIL APPLICATION (CAF) NO.39/2022

The application seeks stay to effect and operation of the impugned judgment.

Issue notice to the respondents, returnable in two weeks.

Learned Assistant Government Pleader Shri Kadu waives service of notice for the respondent nos.2 and 3.

Appellants to serve the respondent no.1 by all modes of service permissible in law within a period of two weeks. Within the aforesaid duration, the appellants shall deposit the entire compensation amount in this Court.

(AVINASH G. GHAROTE, J.)

Wadkar