

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

CIVIL APPLICATION (CAF) NO.1246 OF 2021
IN
FIRST APPEAL ST. NO.2756 OF 2019

Vidarbha Irrigation Development Corporation through its Executive Engineer, Bembla Project,
Yavatmal,

..vs..

Pramod s/o Vitthalrao Uttarwar and others.

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

Court's or Judge's orders

Ms A.S. Athalye, Advocate for appellant/applicant.
Shri A.B. Nakshane, Advocate for respondent no.1.
Shri H.D. Dubey, A.G.P. for respondent nos. 2 and 3/State.

CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATED : 19/01/2022

Hearing was conducted through Video Conferencing and the learned counsel agreed that the audio and visual quality was proper.

2. By this application, the applicant has sought to condone the delay of 219 days in filing the appeal under Section 54 of the Land Acquisition Act.

3. Learned Counsel for the respondent no. 1 objects to the application, on the ground that no sufficient cause is made out.

4. Perused the application, in my considered view and the reason stated in the para no. 3 constitute sufficient ground. Hence the delay is condoned.

5. Application stands disposed of.

6. Appeal be registered.

FIRST APPEAL ST. NO.2756 OF 2019

Heard.

2. ADMIT.
3. Call for the record and proceedings.
4. Paper book to be filed within six months.
5. Issue notice to the respondents.
6. Learned A.G.P. waives notice on behalf of the respondent nos.2 and 3.

CIVIL APPLICATION (CAF) NO.1247 of 2021

Learned Counsel for the applicant states that the principle amount is deposited before the Reference Court. She undertakes to deposit balance amount before this Court within six weeks. In the light of the said statement, execution and implementation of the impugned judgment and award is stayed pending hearing of the appeal. It is made clear that in the event, balance amount is not deposited within six weeks. Stay order shall stand vacated without reference to this Court.

Application stands disposed of.