

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

CIVIL APPLICATION (F) NO.611 OF 2021

IN

FIRST APPEAL (ST) NO.4515 OF 2020

WITH

FIRST APPEAL NO.614 OF 2021

{Vidarbha Irrigation Development Corporation ..Vrs.. Shri Jayprakash
Hemraj Warma and Ors.}

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

Court's or Judge's order

Shri H. D. Marathe, Advocate for the Applicant/Appellant.
Shri P. M. Pande, Advocate for the Respondent No.1.
Shri M. A. Kadu, AGP for the Respondents No.2 and 3.

CORAM : ABHAY AHUJA, J.

DATE : 12th OCTOBER, 2022.

. This is an application seeking condonation of delay of 56 days in preferring an appeal against the judgment and award dated 26.09.2019, passed by the Joint Civil Judge Senior Division, Yavatmal, in LAC No.44 of 2015, whereby the Reference Court has enhanced the compensation granted by the Special Land Acquisition Officer and Sub Divisional Officer, Kelapur, District Yavatmal.

2. Learned counsel for Applicant/Corporation draws the attention of this Court to paragraphs 2 to 6 of the application in support of his contentions.

3. Learned counsel for Respondent No.1 has no objection, if the delay is condoned. Learned Assistant Government Pleader also raises no particular objection.

4. Having heard learned counsel and having perused the application, let the delay of 56 days in preferring the appeal

be condoned. Let the appeal be registered within a period of two weeks from today.

5. The civil application accordingly stands disposed.

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6. Let a copy of the memo of appeal alongwith complete annexures be served upon Respondents within a period of four weeks and an affidavit of service alongwith tangible proof be filed by the next date.

7. List the matter on 21.11.2022 alongwith First Appeal No.614 of 2021.

CIVIL APPLICATION (F) NO.612 OF 2021

8. This is an application seeking stay on the execution of the impugned judgment and award dated 26.09.2019, passed by the Joint Civil Judge Senior Division, Yavatmal, in LAC No.44 of 2015.

9. Learned counsel for Applicant/Corporation submits that he will deposit the entire amount of compensation in this Court within a period of four weeks, subject to which, a stay on the execution of the impugned order may be granted.

10. Having heard the learned counsel, issue notice to the Respondents, returnable on 21.11.2022.

11. Shri Pande, learned counsel waives service of notice on behalf of the Respondent No.1 and Shri Kadu, learned Assistant Government Pleader waives service of notice on behalf of the Respondents No.2 and 3.

12. In the meanwhile, let there be a stay on the execution of impugned order dated 26.09.2019, subject to deposit of the entire amount of compensation in this Court.

13. List these matters on **21.11.2022**.

(JUDGE)

TAMBE