

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

CIVIL APPLICATION (CAF) NO. 79 OF 2020
IN
FIRST APPEAL (ST.) NO. 12440 OF 2019

Chief Executive Engineer, Madhyam Prakash Vibhag, Yavatmal

...VERSUS...

Riyaz Khan Baladar Khan Pathan and others

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

Court's or Judge's order

Smt. I.P. Khisti, Advocate for appellant.

Shri A.M.Kadukar, Asst.G.P. for respondent nos. 2 and 3.

CORAM : SMT. M. S. JAWALKAR,J.

DATE : 15th JULY, 2022.

In spite of service, respondent no. 1 is absent.

2. Shri A.M. Kadukar, learned Asst. Government Pleader is appeared for respondent nos. 2 and 3.

3. By the present application, it is stated that due to administrative ground, there is delay of 679 days in preferring First Appeal.

4. There is no serious objection on behalf of respondent nos. 2 and 3 for condonation of said delay.

5. For the reasons stated in the application, the application is allowed.

6. The delay in filing First Appeal is hereby condoned.

7. The Registry is directed to register the First Appeal.

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The learned counsel appearing for the appellant submits that the appellant has already deposited the principal amount before the Reference Court and he seeks permission to deposit balance amount in this Court.

2. Two weeks' time is granted to deposit the amount as per award.

3. Stay is granted to the impugned judgment and order dated 15/04/2017 passed by Civil Judge, Senior Division, Darvha in LAC No. 73/2010, subject to the undertaking given by the counsel for the appellant that the appellant will deposit the total balance amount in the Court within two weeks.

4. The application is disposed of.

(Smt. M.S. Jawalkar, J.)

B.T.Khapekar