

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

Civil Application (CAF) No. 278 of 2022
and
Civil Application (CAF) No. 1207 of 2021
in
First Appeal Stamp No. 11372 of 2019

Vidharbha Irrigation Development Corporation, through its Executive
Engineer, Minor Irrigation Division, Wardha

Versus

Hari Bhiwaji Raut and another

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

Court's or Judge's Order

Shri J.B. Kasat, Advocate for the Appellant.

Shri C.R.Najbile, Advocate for the respondent no.1.

Shri N.R.Patil, Advocate for the respondent no.2.

CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATE : 9th FEBRUARY, 2022.

Shri Kasat, learned counsel for the appellant seeks extension of time to deposit the decretal amount. He states that the amount will be deposited within one week.

2. Time to deposit the decretal amount is extended by one week.

3. In the light of the statement made by the counsel for the appellant, execution and implementation of the impugned judgment shall stay till further date.

4. It is made clear that in the event of failure to deposit the decretal amount, the appeal shall stand dismissed without reference to the Court.

5. Both civil applications are disposed of.

Civil Application (CAF) No. 277 of 2022

Shri Najbile, learned counsel for the respondent no.1 waives service of notice on behalf of respondent no.1, hence, Civil Application stands disposed of as infructuous.

Civil Application (CAF) No. 1174 of 2021

By this application, the Appellant-Acquiring Body has sought to condone the delay of 281 days in filing the appeal.

2. Shri Najbile, learned counsel for the respondent no.1 has no objection for condoning the delay. In view of the reasons stated in the application, the delay is condoned. The civil application is disposed of.

3. Appeal be registered after removing office objections, if any.

First Appeal Stamp No. 11372 of 2019

1. Heard.

2. **Admit.**

3. Call for the record and proceedings.

4. Shri Najbile, learned counsel waives service of notice for respondent no.1 and Shri Patil, learned Assistant Government Pleader waives service of notice for the respondent no.2

5. Private paper-book to be filed within six months.

(SMT. ANUJA PRABHUDESSAI, J.)

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