

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

Civil Application No.3107 of 2019

in

First Appeal St. No. 26381 of 2018

Vidharbha Irrigation Development Corporation, Yavatmal

Versus

Amot Dyaneshwar Padole and others

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

Court's or Judge's Order

Shri A.S.Athalye, Advocate for the Appellant.

Shri Ashish B. Nakshane, Advocate for the respondent nos.
1 to 4.

Shri N.R.Patil, AGP for the respondent nos.5 and 6.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATE : 7th JANUARY, 2022.

By this application, the Applicant has sought to condone the delay of 102 days in filing the appeal under Section 54 of the Land Acquisition Act, 1894.

2. Having considered the reasons stated in the application, in my opinion, sufficient ground has been shown. The delay is condoned. The civil application is disposed of.

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

Civil Application (CAF) No. 3108 of 2019

1. Learned counsel for Appellant states that the entire amount has been deposited. In light of the said

statement, execution and implementation of the impugned judgment is stayed pending hearing of the appeal.

2. The application is **disposed of**.

Civil Application (CAF) No. 35 of 2022

1. By this application, the respondent no.1 has sought withdrawal of compensation deposited by the appellant as per the judgment and award dated 3rd April, 2018 in the Land Acquisition Case No. 196 of 2012.

2. Having considered the reasons stated in the application, 50% amount along with interest accrued interest thereon, is ordered to be paid to the respondent no.1, subject to filing an undertaking that the amount alongwith interest will be refunded in the event the appellant succeeds in the appeal.

3. The application stands disposed of.

First Appeal St.No.26381 of 2018

1. Heard.

2. **Admit.**

3. Call for the record and proceedings.

4. Shri A.B. Nakshane, learned counsel waives service of notice for the respondent nos. 1 to 4 and Shri N.R.Patil, learned AGP waives service of notice on behalf of Respondent nos. 5 and 6.

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

(SMT. ANUJA PRABHUDESSAI, J.)

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