

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

CIVIL APPLICATION (F) NO.1272 OF 2023

IN

FIRST APPEAL (ST) NO.1653 OF 2023

[V.I.D.C. and Anr. ..V/s.. Daulat Janardan Dakhore (dead) thr LR's and
Ors.]

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

Court's or Judge's order

Ms M. Babhulkar, Adv. h/f Mr M. A. Kadu, Advocate for Appellants.

CORAM : URMILA JOSHI-PHALKE, J.

DATE : 28th APRIL, 2023.

1. Application is for condonation of delay of 236 days, which is caused in preferring the appeal.

2. Learned Advocate Mr S. V. Ingole, waives notice for respondent Nos.1 to 3 and Ms Udeshi, learned Assistant Government Pleader waives notice for respondent Nos.4 and 5.

3. As per the contention of the appellants, the appellants are statutory body, who have to obtain the necessary approval from the Higher Official to prefer the appeal, wherein the time was consumed, and therefore, the delay of 236 days is caused.

4. The said application is strongly opposed by the learned Advocate for respondent Nos.1 to 3 on the ground that the delay is not properly explained. The learned AGP has no objection for condoning the delay.

5. In view of the reasons mentioned in the application, the application is allowed and the delay of 236 days is hereby condoned. Appeal be registered and numbered accordingly.

6. The civil application is disposed of.

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7. Heard.

8. **Admit.**

9. Call for Record and Proceedings.

10. Appellants to file the private paper-book within ten weeks, after receipt of record and proceedings.

11. Appeal be placed before the Court for final disposal, after filing of paper-book and its verification, as per its own turn.

CIVIL APPLICATION (F) NO.1273 OF 2023.

12. Application is for seeking stay to the effect, operation and execution of the impugned judgment and award dated 25.10.2021 passed by the 2nd Joint Civil Judge Senior Division, Yavatmal in L.A.C. No.282 of 2018.

13. On depositing the entire amount of compensation alongwith accrued interest within ten weeks from today, the effect, operation and execution of the impugned judgment and award dated 25.10.2021 passed in L.A.C. No.282 of 2018 be stayed, till final disposal of the appeal.

14. On failure to deposit the amount of compensation alongwith accrued interest, the stay granted will be vacated automatically without further reference to the Court.

15. The civil application is disposed of.

JUDGE.