

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

**CIVIL APPLICATION (CAF) NO. 369/2023 IN**  
**FIRST APPEAL STAMP NO. 2237/2023**

The Executive Engineer, Bembla Project, Yavatmal.

Vs

Shri. Devrao Warlugi Ganeshpure And Others

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

Court's or Judge's Order

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Mr H. Marathe, Advocate h/f Shri T.M. Zaheer, Advocate for the  
appellant/applicant.

Ms Shamsi Haider, AGP for the respondent Nos. 2 and 3.

**CORAM : URMILA JOSHI-PHALKE, J.**

**DATED : 10/02/2023.**

1. Heard.
2. By this application, the applicant/appellant is seeking condonation of delay, which is caused in preferring the appeal.
3. Issue notice to the respondents, returnable after two weeks.
4. Ms Shamshi Haider, learned AGP waives service of notice on behalf of the respondent Nos. 2 and 3.
5. Appellant to serve the respondent No.1 by all modes of service.

**Civil Application (CAF) No. 370/2023**

1. Heard.

2. By this application, the applicant/appellant is seeking stay to the execution, effect and operation of the impugned judgment and award passed by the learned 3<sup>rd</sup> Joint Civil Judge, Senior Division, Yavatmal.

3. On depositing the entire amount of compensation along with accrued interest, the execution, effect and operation of the impugned judgment and decree passed by the learned 3<sup>rd</sup> Joint Civil Judge, Senior Division, Yavatmal in LAC No. 131/2017 be stayed, till further orders.

4. The amount is to be deposited within a period of eight weeks.

5. On failure to deposit the entire amount within a period of eight weeks, the stay granted will automatically vacated without further reference to the Court.

**JUDGE**