

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

CIVIL APPLICATION (CAF) NO.761 OF 2023
IN
FIRST APPEAL STAMP NO.2450 OF 2023

The Executive Engineer, Bembla Canal Project, Yavatmal
Vs.
Vilas Babarao Jumnake and others

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

Court's or Judge's orders

Mr. Tariq Mohammad Zaheer, Advocate for appellant.
Ms. T. H. Udeshi, AGP for respondent Nos.2 and 3.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 03/05/2023

1. This application is for condonation of delay.
2. Issue notice to the respondents, returnable after Summer Vacation.
3. Learned AGP Ms. Udeshi, waives notice for respondent Nos. 2 and 3.

Civil Application (CAF) No.762/2023

1. By this application, the appellant is seeking stay to the effect, operation, implementation and execution of the impugned Judgment and Award passed by the Civil Judge Senior Division, Yavatmal in Land Acquisition Case No.433/2016 decided on 26.11.2021.
2. The learned Advocate for the appellant submitted that principal amount is already deposited before the Reference Court.

3. On depositing the balance interest amount along with statutory deposits within ten weeks before the Reference Court, the effect, operation and implementation of the impugned Judgment and Award passed by the Civil Judge Senior Division, Yavatmal in Land Acquisition Case No.433/2016 decided on 26.11.2021 is stayed till final disposal of the appeal.
4. On failure to deposit the amount within above said period the stay granted will be vacated automatically without further reference to the Court.
5. Civil Application is disposed of.

(URMILA JOSHI-PHALKE, J.)

Sarkate