

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

CIVIL APPLICATION (CAF) NO.738 OF 2021
IN
FIRST APPEAL ST. NO.3186 OF 2019

Vidarbha Irrigation Development Corporation, through its Executive Engineer, Bembla
Project Canal Division, Yavatmal and another

Vs.

Smt. Sonabai Dhnyeshwar Umbarkar 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. Vinay Dahat, Advocate h/f J. B. Kasat, Advocate for appellant.
Ms. Shamsi Haider, AGP for respondent Nos.7 and 8.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 19/01/2023

By this application, appellants are seeking condonation of delay of 685 days which is caused in filing appeal against the judgment and award passed by the Civil Judge Senior Division, Yavatmal. Though respondent Nos.1 to 6 are served, none appears for the respondent Nos.1 to 6. The learned AGP has no objection for condonation of delay.

In view of the reasons mentioned in the application, appellants have to seek necessary permission from the higher officials to file the appeal. The delay caused is not deliberate one. In view of the same, application is allowed.

The delay of 685 days is condoned.

Appeal be registered.

Civil Application is disposed of.

FIRST APPEAL NO. OF 2023

Admit.

The learned AGP waives notice for respondent Nos.7 and 8.

Call for Record and Proceedings.

Appellant to file paper book within six weeks. After receipt of the Record and Proceedings, stand over after six weeks.

Civil Application (CAF) No.739/2021

By this application, appellants are seeking stay to the execution of the impugned judgment and award passed by the learned Civil Judge Senior Division, Yavatmal in Land Acquisition Case No.594 of 2011 dated 21.12.2016.

The appellants to deposit the entire decretal amount along with the accrued interest within six weeks and on depositing the said amount, the implementation and execution of the impugned judgment and award be stayed, till disposal of the appeal.

Civil Application is disposed of.

(URMILA JOSHI-PHALKE, J.)