

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

CIVIL APPLICATION (CAF) NO.2215 OF 2022

IN
FIRST APPEAL NO.808 OF 2022

Vidarbha Irrigation Development Corporation, through its Executive Engineer, Purna
Medium Project, Achalpur and another

Vs.

Shrirang Sampatrao Kherde (Deceased) through his legal heir (1) Smt. Saraswatibai
w/o Shrirang Kherde (Deceased)

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

Court's or Judge's orders

Ms. Mallika Babhulkar, Advocate h/f Mr. M. A. Kadu, Advocate for
appellants/applicants.

Mr. R. S. Shinde, Advocate for respondent Nos.1 to 9.

Mr. K. L. Dharmadhikari, AGP for respondent Nos.(02) and (03).

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 17/03/2023

By this application, the applicants are seeking stay to the effect, implementation, operation and execution of the impugned Judgment and Award passed by the Civil Judge Senior Division, Achalpur in Land Acquisition Reference No.39/2014.

Learned Advocate Ms. Babhulkar, holding for learned Advocate Mr. Kadu submitted that principal amount of compensation is already deposited. On depositing the balance amount of compensation along with the accrued interest including the statutory benefits, the implementation, effect and operation of the impugned Judgment and Award passed by the Civil Judge Senior Division, Achalpur in Land Acquisition

Reference No.39/2014, be stayed till final disposal of the appeal.

On failure to deposit the amount, the stay granted will be vacated automatically without further reference to the Court.

Civil Application is disposed of.

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Appeal is preferred by the appellants against the Judgment and Award passed by the Land Acquisition Reference No.39/2014.

Admit.

Learned Advocate Mr. Shinde waives notice for legal heirs of respondent No.1 [Sr. No.(1) to (9)].

Learned AGP waives notice for respondent Nos.(02) and (03).

Call for record and proceedings.

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

Appeal be placed after filing of the private paper book, its verification for final hearing as per its turn.

(URMILA JOSHI-PHALKE, J.)

Sarkate