

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

CIVIL APPLICATION NO.2584 OF 2021 IN
FIRST APPEAL ST NO.6707 OF 2020

V.I.D.C. and another

.Vs.

Anil s/o Annaji Ulhe. and Ors.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions Court's or Judge's orders.
and Registrar's Orders.

Mrs. A.A. Joshi, Advocate for the appellants.
Shri P.S. Patil, Advocate for respondent No.1.
Ms T.H. Udeshi, AGP for respondent Nos.2 and 3.

CORAM : G.A. SANAP, J.

DATE : 05.09.2023

Heard.

2. This is an application for condonation of 252 days delay caused in filing an appeal against the impugned judgment and decree dated 01/07/2019 passed by Civil Judge Senior Division, Achalpur in L.A.C. No.06/2012.
3. The reasons stated in the application are sufficient to grant the application. The application is accordingly allowed.
4. The delay of 252 days caused in filing the appeal stands condoned.
5. It is made clear that the appellants shall not be entitled to get interest for the delayed period of 252 days in case the appeal is allowed.

6. The appeal be registered.
7. The application stands disposed of.

CIVIL APPLICATION NO.648 OF 2022

1. Heard.
2. This is an application filed by the respondent No.1 for withdrawal of amount of compensation deposited before the trial Court.
3. In view of the reasons stated in the application, the application is allowed.
4. The respondent No.1 is allowed to withdraw the amount of Rs.2,64,243/- along with interest accrued thereupon from the office of Civil Judge, Senior Division, Achalpur subject to undertaking to the effect that in case the appeal is decided against the respondents then the respondent No.1 will deposit the amount with interest as directed by this Court. Undertaking be furnished before trial Court.
5. The amount be paid to respondent No.1 within four weeks.
6. The application stands disposed of.

CIVIL APPLICATION NO.647 OF 2022

1. Amount of compensation is deposited.
Therefore, there shall be stay to the execution of
judgment and award till final decision of appeal
2. Application stands disposed of.

(G. A. SANAP, J.)

manisha