



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

CAF NO.3428/2019

IN

FIRST APPEAL ST NO. 7151 OF 2019

Executive Engineer, Nimn Painganga Project, Yavatmal

.Vs.

Gajanan Damodhar Onkar and ors.

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

Ms. Ira P. Khisti, Advocate for the appellant.
Shri P.M. Pandey, Advocate for respondent No.1.
Shri M.A. Kadu, AGP for respondent Nos. 2 and 3.

CORAM : G.A. SANAP, J.

DATE : 05/09/2023

Learned Advocate for the appellant submits that vide order dated 24.01.2020 stay has been granted subject to deposit of amount of compensation. Learned Advocate submits that in terms of this order, the amount has been deposited.

2. Therefore, the stay application stands disposed of.

CIVIL APPLICATION NO.3427 OF 2019

1. This is an application for condonation of 170 days delay caused in filing appeal against judgment and award dated 5.07.2018.

2. I have heard learned Advocate for the appellant and learned Advocate for the respondent No.1 and learned AGP for respondent Nos.2 and 3.

3. Learned Advocate for the respondent No.1 for main contesting party submits that Court may pass an appropriate order

in the backdrop of reasons stated in the application.

4. In view of the reasons stated in the application, I do not see any ground to discard and disbelieve the same.
5. Accordingly, the application is allowed.
6. Delay of 170 days caused in filing appeal is condoned.
7. Application stands disposed of.
8. Appeal be registered.

FIRST APPEAL ST NO. 7151 OF 2019

1. **Admit.**
2. Shri P.M. Pandey, learned Advocate waives service of notice on behalf of respondent No.1.
3. Shri M.A. Kadu, learned AGP waives service of notice on behalf of respondent Nos.2 and 3.
4. Call record and proceedings.
5. Paper book be filed within 12 weeks from the date of receipt of record and proceedings.
6. If paper book is not filed within 12 weeks from the date of receipt of record and proceedings, then appeal shall stand dismissed without further reference to the Bench.

(G. A. SANAP, J.)