

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

**CIVIL APPLICATION (CAF) NO.1345 OF 2023**  
**IN**  
**FIRST APPEAL STAMP NO.7753 OF 2023**

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

Vs.

Nilesh s/o Devidas Sontakke and others

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

Court's or Judge's orders

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Ms. Mallika Babulkar, Advocate h/f Mr. M. A. Kadu, Advocate for appellants.  
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.1346/2023**

1. By this application, the appellants are seeking stay to the effect, operation and execution of the impugned Judgment and Award dated 17.06.2022 passed by the 2<sup>nd</sup> Joint Civil Judge Senior Division, Yavatmal in Land Acquisition Case No.178/2019.
2. Learned Advocate Ms. Babulkar, for the appellants submitted that principal amount is deposited

before the Reference Court.

3. On depositing the balance interest amount along with the statutory deposits within ten weeks, the effect, operation and execution of the impugned Judgment and Award passed by the 2<sup>nd</sup> Joint Civil Judge Senior Division, Yavatmal in Land Acquisition Case No.178/2019 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