

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

FIRST APPEAL NO.635 OF 2022

Vidarbha Irrigation Development Corporation, Through its Executive Engineer Nimna
Painganga Project, Yavatmal

Vs.

Vitthal Shankarrao Jagtap and others

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 appellant.
Mr. K. L. Dharmadhikari, AGP for respondent Nos.2 and 3.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 20/03/2023

1. The appeal is preferred against the Judgment and Award passed by the learned 3rd Joint Civil Judge Senior Division, Yavatmal.
2. **Admit.**
3. Learned AGP Mr. Dharmadhikari, waives notice for respondent Nos.2 and 3.
4. Call for record and proceedings.
5. Appellant to file paper book within eight weeks, after receipt of the record and proceedings.
6. Appeal be placed for final hearing, after paper book is filed, its verification.

Civil Application (CAF) NO.1630/2022

1. By this application, the appellant is seeking stay to the effect, operation and execution of the impugned Judgment and Award dated 03.09.2021

passed by the 3rd Joint Civil Judge Senior Division, Yavatmal in Land Acquisition Case No.122/2016.

2. Learned Advocate Ms. Babhulkar, holding for learned Advocate Mr. M. A. Kadu, for the appellant submitted that principal amount is already deposited in the Reference Court. Considering the same, on depositing the amount of accrued interest including the statutory benefits within ten weeks, the effect, operation and execution of the impugned Judgment and Award dated 03.09.2021 passed by the 3rd Joint Civil Judge Senior Division, Yavatmal in Land Acquisition Case No.122/2016, be stayed till disposal of the appeal.

3. On failure to deposit the said amount within above said period, the stay granted will be vacated automatically without further reference to the Court.

4. Civil Application is disposed of.

(URMILA JOSHI-PHALKE, J.)

Sarkate