



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

CIVIL APPLICATION (CAF) NO. 1694/2023 IN
FIRST APPEAL STAMP NO. 9935/2023

Executive Engineer, Minor Irrigation Division, Washim

Vs.

Ratan S/o Rambhau Kokate and others

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

Court's or Judge's orders

Shri Vinay Rathi, Advocate h/f Shri P.B. Patil, Advocate for appellant
Shri V.B. Gawali, Advocate for respondent No.1
Ms T.H. Udeshi, AGP for respondent Nos. 2 & 3

CORAM : SMT. M.S. JAWALKAR, J.

DATE : 17/08/2023

Time was granted to file reply to the application. However, no reply is filed. There is delay of 65 days in filing first appeal.

2. For the reasons stated in paragraph Nos. 2 and 3, application is allowed.
3. Delay in filing first appeal is hereby condoned.
4. Registry is directed to register first appeal.
5. Application stands disposed of.

CIVIL APPLICATION (CAF) NO. 1695/2023

Present application is filed for grant of stay to the effect, execution of the impugned judgment and award.

2. As per statement of learned Counsel for appellant, entire decretal amount is already deposited in the Lower Court. As such there shall be stay to the effect, execution and operation of the impugned judgment and award in L.A.C. No. 114/2012, during the pendency of appeal.

3. Learned Counsel for respondent is at liberty to move appropriate application, if he wants permission from this Court to withdraw the amount.

4. List the matter for admission along with First Appeal Stamp No. 9935/2023 along with CAF No.1694/2023 and 1965/2023, First Appeal Stamp No.9931/2023 along with CAF No.1692/2023 and 1693/2023, First Appeal Stamp No.8656/2023 along with CAF No.1335/2023 and 1336/2023, First Appeal Stamp No.8665/2023 along with CAF No.1286/2023 and 1287/2023, First Appeal Stamp No.8746/2023 along with CAF No.8747/2023 and 8749/2023, First Appeal Stamp No.8753/2023 along with CAF No.1355/2023 and 1356/2023.

(SMT. M.S. JAWALKAR, J.)

Jayashree..