

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

CIVIL APPLICATION (CAF) NO. 748/2021 IN FIRST APPEAL
STAMP NO. 12273/2019

VIDC thr. E.E. Lower Wardha Project and anr. **V/s** Subhaschandra Vigyanachandra Jain and Ors

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

Court's or Judge's Order

Mr Vinay Dahat, counsel h/f Mr J.B. Kasat, counsel for the appellant
/applicant.

Ms T.H. Udeshi, AGP for the respondent Nos. 3 and 4.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 03/03/2023.

1. By this application, the applicant/appellant is seeking stay to the implementation, effect, execution, and operation of the impugned judgment and award passed by the learned Civil Judge, Senior Division, Wardha in LAC No. 50/2009, decided on 26/10/2018.

2. Appellant has already deposited the entire amount of compensation along with accrued interest. As the amount is already deposited by the appellant, the effect, implementation, and execution of the impugned judgment and award passed in LAC No. 50/2009 by the learned Civil Judge, Senior Division, Wardha be stayed till final disposal of the appeal.

Civil application is disposed of.

Civil Application (CAF) No. 747/2021

Present application is filed by the appellant for condonation of delay of 136 days.

2. As per contention of the appellant, appellant has received the certified copies on 11/12/2018. Thereafter, appellant approached to the higher officials for seeking necessary approvals and legal opinion. Wherein the time was consumed and therefore, delay of 136 days is caused.

3. Notice of respondent No.1 is served. When the matter was called out, none appears for respondent No.1.

4. Ms T.H. Udeshi, learned AGP has no objection for condonation of delay.

5. Appellant No.1 is the authority, who has to obtain the necessary approvals from the Higher Officials. Thus, the reason mentioned in the application, appears to be just and reasonable one. In view of the reasons mentioned in the application, delay of 136 days in filing the appeal is condoned.

Civil application is disposed of.

First Appeal St. No. 12273/2019

1. Heard.

2. Admit.

3. Call for record and proceedings.

4. Appellant to file private paper-book within a period of ten weeks after receipt of record and proceedings.

5. Place the matter before the Court after the private paper book is filed and its verification for final hearing, as per its own turn.

JUDGE