

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

CIVIL APPLICATION (CAF) NO. 294 OF 2023,
CIVIL APPLICATION (CAF) NO 1904 OF 2022 &
CIVIL APPLICATION (CAF) NO 1905 OF 2022

IN
FIRST APPEAL (ST.) NO. 13185 OF 2021

The Executive Engineer, Purna Medium Project, Division-Achalpur, Dist. Amravati
..VS..

Smt. Janabai Wd/o Balkrushnarao Korde (Dead) through her LRs. A
nd others

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

Court's or Judge's orders

Mr. Tariq Mohammad Zaheer, Advocate for applicant/Appellant.
Mr. R.J. Shinde, Advocate for respondent Nos.1 to 4.
Ms. Trupti Udeshi, A.G.P for respondent Nos.5 and 6.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : FEBRUARY 03, 2023

CIVIL APPLICATION (F) NO. 294 OF 2023

By this application, the applicant/appellant is seeking permission to deposit compensation amount. The appellant is already directed to deposit the amount, but the time is expired.

2. The learned Advocate for the appellant submitted that he has already deposited the said amount.

3. Registry is directed to accept the said amount.

4. The Civil Application No. 294 of 2023 is disposed of.

CIVIL APPLICATION (CAF) NO. 1904 OF 2022

By preferring this application, the appellant/appellant is seeking condonation of delay which is caused in filing appeal against the Judgment and Award passed by the Civil Judge, Senior Division, Achalpur in Land Acquisition Case No. 39 of 2023, decided on 08.08.2019.

2 As per the contention of the appellant that the appellant has to obtain all the necessary approvals before filing of the appeal therefore, the appellant has forwarded the proposal for legal opinion. After obtaining the necessary approvals from the Higher Officials wherein the time was consumed therefore, delay is caused. Delay is not intentional one hence delay be condoned.

3. Respondent Nos.1 to 4 as well as learned A.G.P have no objection for condonation of delay.

4. The reason mentioned in the application appears to be reasonable and justifiable hence the delay of 135 days is condoned. The Civil Application No.1904 of 2022 is disposed of.

5. Appeal be registered.

FIRST APPEAL (ST.) NO. 13185 OF 2021

Admit.

2. Call for Record and Proceedings.

3. The learned Advocate Mr. R.J. Shinde waives notice for respondent Nos.1 to 4 and learned A.G.P. Ms. Trupti Udeshi waives notice for respondent Nos.5 and 6.

4. The appellant to file paper book within a period of eight weeks.

5. Stand over after eight weeks.

CIVIL APPLICATION (CAF) NO. 1905 OF 2022

By preferring this application the applicant/appellant is seeking stay to the effect and operation of Judgment and Award passed on 08.08.2019 by the Civil Judge, Senior Division, Achalpur in Land Acquisition Case No. 39 of 2023.

2. On depositing the entire compensation amount along with accrued interests, the Judgment and Award passed by the Civil Judge, Senior Division, Achalpur in Land Acquisition Case No. 39 of 2023 be stayed till disposal of the appeal.

The Civil Application No.1905 of 2022 is disposed of.

JUDGE