

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

CIVIL APPLICATION (CAF) NO.1568 OF 2022
IN
FIRST APPEAL STAMP NO.6638 OF 2021

Vidarbha Irrigation Development Corporation Through Executive Engineer, Purna
Medium Project, Achalpur Division, Achalpur, Dist. Amravati and another

Vs.

Janraoji s/o Sitaramji Mohod and others

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

Court's or Judge's orders

Mrs. Anjali Arvind Joshi, Advocate appellants.
Mr. R. J. Shinde, Advocate for respondent No.1.
Ms. T. Udeshi, AGP for respondent Nos.2 and 3.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 24/01/2023

1. By this application, appellants are seeking leave to file the appeal.
2. In view of the reasons mentioned in the application, leave is granted.
3. Civil Application is disposed of.

Civil Application (CAF) St. No.6640/2021
in First Appeal St. No.6638 of 2021

1. By this application, appellants are seeking condonation of 305 days delay in filing the present appeal.
2. Mr. Shinde, learned counsel waives notice for respondent No.1.
3. Ms. T. Udeshi, learned AGP waives notice for respondent Nos.2 and 3.

4. As per the contention of the appellants, appellants have to seek necessary approvals before filing of the appeal wherein the time was consumed, and therefore the delay of 305 is caused.

5. Respondent no.1 has no objection to condone the delay. The learned AGP for the respondent Nos.2 and 3 has also not raised any objection.

6. In view of the reasons mentioned in the application, delay of 305 is condoned.

7. Appeal be registered.

First Appeal No. OF 2023

Admit.

Call for Record and Proceedings.

Civil Application St. (CAF) No.6641 of 2021

1. By this application, appellants are seeking stay to the execution, implementation and operation of the judgment and decree passed by Civil Judge Senior Division, Achalpur in Land Acquisition Case No.27.2014 dated 14.02.2019.

2. Mrs. Joshi, learned Advocate for the appellants submitted that principal amount of compensation is already deposited before the reference Court and on depositing the remaining balance amount of compensation along with the accrued interest, the implementation, execution and operation of the judgment and decree passed by the Civil Judge Senior Division, Achalpur, is stayed, till final disposal of the appeal.

(3)

27.caf.1568.2022

3. On failure to deposit the amount within eight weeks, the stay granted automatically be vacated without further reference to the Court.
4. Civil application is disposed of.

(URMILA JOSHI-PHALKE, J.)

Sarkate