



(1)

{ca11358.24}

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**919 CIVIL APPLICATION NO. 11358 OF 2024
IN FAST/5360/2024**

THE EXECUTIVE ENGINEER MINOR IRRIGATION DIVISION JALNA

VERSUS

1 BHAGWAN PANDURANG KHARAT AND ORS

WITH

**CIVIL APPLICATION NO. 11359 OF 2024
IN FAST/5360/2024**

**920 CIVIL APPLICATION NO. 11396 OF 2024
WITH FAST/5357/2024**

THE EXECUTIVE ENGINEER MINOR IRRIGATION DIVISION JALNA

VERSUS

1 RANGNATH AASHRUBA KHARAT AND ORS

WITH

**CIVIL APPLICATION NO. 11397 OF 2024
WITH FAST/5357/2024**

**921 CIVIL APPLICATION NO. 11402 OF 2024
WITH FAST/4770/2024**

EXECUTIVE ENGINEER MINOR IRRIGATION DIVISION JALNA

VERSUS

SANDU RUSTAM KHARAT AND ORS

WITH

**CIVIL APPLICATION NO. 11403 OF 2024
WITH FAST/4770/2024**

Mr.A.D. Gade, Advocate for the applicant.

Mr.V.M. Humbe, Advocate for respondent No.1.

CORAM : KISHORE C. SANT, J.

DATE : 18.10.2024

PC :-

CIVIL APPLICATIONS FOR RESTORATION OF APPEALS

01. These applications are filed for restoration of respective appeals. The registration was refused by conditional order dated 06.05.2024 passed by the learned Registrar (Judicial) of this Court. In spite of orders, the appellants/applicants failed to take steps to remove office objections. It is reported that the office objection was in respect of filing of the Vakalatnama and same is now filed.

02. In view of above, the Civil Applications are allowed. The delay is condoned. The appeals are restored to their original position.

CIVIL APPLICATIONS FOR STAY

01. The learned Advocate for the applicant informs that the appellants-applicants have already deposited 50% of the amount as per the impugned judgment and award in the Reference Court. Remaining 50% amount is allowed to be deposited within 12 weeks from today in the office of this Court.

02. Though objected by the respondents, this Court finds that stay needs to be granted. Hence, following order :-

ORDER

(i) The Civil Applications are allowed, subject to condition of depositing remaining 50% amount with interest in the office of this Court within 12 weeks from today.

FIRST APPEALS

01. Issue notice to the respondents, returnable on 03.01.2025. Learned Advocate Mr.V.M. Humbe waives service of notice for the respondents.

[KISHORE C. SANT, J.]