



-2849-2023

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

CIVIL APPLICATION (F) NO. 2849 OF 2023
IN FIRST APPEAL ST. NO. 9923 OF 2023

**(Executive Engineer, Man Project, Minor Irrigation Department Vs. Attaullakhan
Kalandarkhan & Ors.)**

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

Court's or Judge's orders.

Shri P.B. Patil, Counsel for the applicant/appellant.
Ms D.I. Charlewar, A.G.P. for respondent nos. 2 and 3.

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CORAM : ANIL L. PANSARE, J.
JANUARY 3, 2024.

For the reasons set out in the application,
the delay of 76 days in preferring present appeal stands
condoned.

2] The Civil Application is disposed of.

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3] Vide order dated 7/10/2023, this Court has
granted stay to the impugned judgment subject to the
appellant depositing the entire amount of compensation
within ten weeks. The said amount has been not
deposited. The learned Counsel for the appellant seeks
two weeks time.

4] The experience shows that the appellant –
VIDC is not complying with the order passed by the Court
as regards depositing the amount. This casual approach is
deprecated.

5] Nonetheless, in the interest of justice, ten working days are granted to the appellant to deposit the entire compensation amount failing which the appeal shall stand dismissed without further reference to the Court for want of compliance of order passed by this Court.

6] If the amount of compensation is so deposited, the appeal be registered.

7] Thereafter, issue notice to the respondents.

8] The learned A.G.P waives notice for respondent nos. 2 and 3.

9] The parties are put to notice that the appeal may be taken-up for final hearing at the stage of admission. The parties are at liberty to file compilation of documents which they intend to rely upon.

10] In the meantime, call R and P

11] List the matter in the week commencing from 5/2/2024.

(ANIL L. PANSARE, J.)

Sumit