



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

CIVIL APPLICATION [CAF] NO.1532 OF 2023

IN

FIRST APPEAL ST. NO.12018 OF 2021

[Executive Engineer, Purna Medium Project, Achalpur Division, Achalpur, District-Amravati .vs.
Devidas Akaramji Gayakwad and others]

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

Court's or Judge's orders

Ms. I.P. Khisti, Advocate for Appellant.
Mr. S.S. Shingane, Advocate for Respondent No.1.
Mr. S.B. Bissa, AGP for Respondent Nos.2 and 3.

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CORAM : SANJAY A. DESHMUKH, J.

DATE : 2nd DECEMBER, 2024.

1. This is an application for condonation of delay of 311 days caused for filing the first appeal.
2. Perused the application.
3. Heard the learned advocates for both the sides.
4. Learned advocate for the appellant pointed out the grounds stated in the application that due to administrative compliance and processing of the permission to file the appeal, the delay is caused. Considering the said reasons, it appears that the delay is not deliberately caused. The application deserves to be allowed in the interest of justice.
5. The application is allowed and disposed. The delay is condoned.

FIRST APPEAL ST. NO.12018/2021

1. Heard.
2. Issue notice to the respondents, returnable after four weeks.

3. Mr. S.S. Shingane, learned advocate waives notice for respondent no.1 and Mr. S.B. Bissa, learned AGP waives notice for respondent nos.2 and 3.
4. Call for record and proceeding.

Civil Application (CAF) No.3475/2024

1. This is an application filed by claimant-respondent no.1 for grant of permission to withdraw an amount of Rs.21,47,115/- deposited by the appellant.
2. Perused the application.
3. Heard the learned advocates for both the sides.
4. For the reasons stated in the application, the application deserves to be partly allowed.
5. Registry is directed to pay 50% amount to the claimant-respondent no.1 on usual undertaking and 25% amount on execution of solvent surety/security.
6. The application is allowed and disposed of.

(SANJAY A. DESHMUKH, J.)