



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

CIVIL APPLICATION [CAF] NO.2437 OF 2024

IN

FIRST APPEAL ST. NO.14341 OF 2022

[The Executive Engineer, Upper Painganga Project Division, Umarkhed, District-Yavatmal .vs.
Dipak Gangadhar Alkatwar and others]

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

Court's or Judge's orders

Shri M.R. Joharapurkar, Advocate for Applicant-Appellant.

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CORAM : SANJAY A. DESHMUKH, J.

DATE : SEPTEMBER 03, 2024.

1. Heard.
2. This is an application under Section 5 of the Limitation Act for condonation of delay caused for filing appeal.
3. For the reasons mentioned in the application, the application is allowed in the interest of justice. The delay of 87 days caused in filing appeal is hereby condoned.
4. The application stands **disposed of**.

FIRST APPEAL ST. NO.14341/2022

1. Heard.
2. **Admit.**
3. Issue notice to the respondents, returnable after six weeks.
4. Learned Assistant Government Pleader Ms. Deepa Charlewar waives service of notice for respondent nos.5 and 6.
5. Call record and proceedings.

CIVIL APPLICATION NO.2440/2024

1. This is an application for stay to the execution of the impugned judgment and award passed by the reference court in L.A.C. No. 193 of 2010 dated 06.05.2021.
2. Perused the application.
3. Heard learned Advocate for both the sides.
4. Learned Advocate for the applicant-appellant submits that the applicant is ready to deposit the amount under award in this Court within twelve weeks.
5. If the amount is deposited within twelve weeks, there shall be stay in terms of prayer clause (1).
6. The application is, thus, allowed and disposed of.

CIVIL APPLICATION NO.2441/2024

1. This is an application for dispensing with filing of certified copy of award passed by learned reference court. Perused the application.
2. Learned Advocate for the applicant submitted that in the connected appeal the certified copies are filed.
3. Therefore, considering this fact, the application deserves to be allowed. The application is allowed and disposed of.

(SANJAY A. DESHMUKH, J.)