



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

CIVIL APPLICATION (CAF) NO. 2522 OF 2022

IN

FIRST APPEAL (St.) NO. 12836 OF 2022

The Executive Engineer, Amravati,

.VS.

Sandeep Shankarrao Tikhe and others

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

Mr. Dahat, Advocate h/f Mr. J.B. Kasat, Advocate for the appellant
Mr. S.S. Shingane, Advocate for respondent No.1.
Mrs Mrunal Naik, AGP for respondent Nos.2 and 3.

CORAM : G.A. SANAP, J.

DATE : JANUARY 16, 2024.

This is an application for condonation of 74 days delay caused in filing appeal against impugned judgment and award, dated 01/01/2022 passed by learned 4th Joint Civil Judge, Senior Division, Amravati in L.A.C. No.23/2018. The reasons have been stated in the application.

2. Heard learned Advocates for the parties.
3. In view of the reasons stated in the application, the application is allowed. Delay caused in filing appeal is condoned.
4. The appeal be registered.
5. The application stands **disposed of**, accordingly.

FIRST APPEAL (ST.) NO. 12836 OF 2022

6. Heard.

7. **ADMIT.**

8. Mr. S.S. Shingane, learned Advocate waives service of notice on behalf of respondent No.1

9. Mrs. Mrunal Naik, learned AGP waives service of notice on behalf of respondent Nos.2 and 3.

10. Call record and proceedings.

11. Paper book be filed within 12 weeks from the date of receipt of record and proceedings.

CIVIL APPLICATION NO.146 OF 2024

12. Heard.

13. This is an application filed by respondent No.1 for withdrawal of amount of Rs.2,36,127/- (Rupees Two Lacs Thirty Six Thousand One Hundred and Twenty Seven Only) deposited by the appellant/acquiring body towards the compensation.

14. The reasons have been stated in the application. In view of the reasons stated in the application, the application is allowed.

15. Respondent No.1-**Sandeep s/o Shankarrao Tikhe** is allowed to withdraw 90% of the amount with accrued interest on furnishing usual undertaking to the effect that he will return the said amount in case the appeal is decided against

him along with interest at the rate that will be determined by the Court.

16. Application stands disposed of, accordingly.

(G. A. SANAP, J.)

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