



27.caf.349.2024 in fa.1175.2023.odt

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

CIVIL APPLICATION (CAF) NO. 349 OF 2024
WITH
CIVIL APPLICATION (CAF) NO. 348 OF 2024
IN
FIRST APPEAL NO. 1175 OF 2023

(The Executive Engineer, Upper Painganga Project Division No.2, Umarkhed & Ors. V/s Vasantrao Bapurao Joshi
(dead) through L.Rs. & Ors.)

Office Notes, Office Memoranda of Coram,
Appearances, court's orders or directions and
Registrar's orders

Court's or Judge's orders

Mr. M. R. Joharapurkar, Advocate for Appellants.
Mr. A. R. Patil, Advocate for Respondent Nos.1 & 2.
Ms. Mukta Kavimandan, AGP for Respondent Nos.3
and 4/State.

CORAM : ANIL L. PANSARE, J.
DATE : FEBRUARY 14, 2024.

CIVIL APPLICATION (CAF) NO. 349 OF 2024

. The Applicants/Appellants have filed Application under Order XLI Rule 1 of the Code of Civil Procedure, 1908 (*In short, 'the Code'*) seeking to dispense with filing of additional certified copy of the Award passed by the Reference Court on the ground that the certified copy of the Award has been filed in connected matters being CAF No.2614/2023 in First Appeal Nos. 1175/2023, 121/2024, 120/2024, CAF No. 3897/2023 in First Appeal (St) No. 10091/2023, First Appeal Nos. 53/2024, 51/2024, 52/2024, 1211/2023, 1213/2023, 1236/2023, 1238/2023, CAF No. 287/2024 in First Appeal (St) No. 10069/2023, First Appeal Nos.1212/2023, 1209/2023,

1210/2023, 1215/2023, 1214/2023, 150/2024, 146/2024, 51/2024, First Appeal (St) Nos. 14055/2022, 13961/2022, 14209/2022, 13967/2022, 14146/2022, 14241/2022, 14137/2022 and 14341/2022.

2. In view thereof and for the reasons set out in the Application, Civil Application is allowed as prayed for.

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. The Applicants/Appellants have filed Application under Order XLI Rule 5 of the Code of Civil Procedure, 1908. The learned Counsel for the Applicants states that the entire amount of compensation will be deposited in the Court within twelve weeks.

2. The statement is accepted. If the amount is not so deposited, additional interest will be borne by the Officers, who are responsible for the delay.

3. In view of above, the effect and operation of the Award dated 3/5/2021 passed by the learned Joint Civil Judge Senior Division, Pusad, District Yavatmal in Land Acquisition Case No. 289/2010 is stayed for twelve weeks.

4. Copy of the order be served upon the Appellants for taking necessary steps.

(ANIL L. PANSARE, J.)