



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

CIVIL APPLICATION (CAF) NO. 808 OF 2024

IN

FIRST APPEAL ST. NO. 17257 OF 2023

VIDARBHA IRRIGATION DEVELOPMENT CORPORATION

Vrs.

SMT. INDIRABAI LAXMANRAO DULDHAR AND OTHERS

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Ms. Ashwini Athalye, Advocate for applicant/appellant.
Shri M.A.Kadu, AGP for respondents-State.

CORAM: SANJAY A. DESHMUKH, J.

DATE : 21/11/2024.

1. This Court by order dated 24/04/2024, directed the appellant to plant 25 trees or deposit costs of Rs.10,000/- within one month in this Court.
2. Learned advocate for the appellant submitted that the appellant could not comply with the directions of planting 25 trees. The appellants cheque of costs of Rs.10,000/- is ready to deposit.
3. Registry is directed to accept that cheque.
4. Registry is directed to send that amount in the name of President and Secretary, School Management Samiti, Zilla Parishad Primary School, Gumgaon No.2, Panchayat Samiti, Hingana, Dist. Nagpur in the Account No.443802010437583, Union Bank (IFSC-UBIN0544388). As per the conversation with the Headmaster of the said school, he agreed that with the help of other teachers and the students of the school, he will plant some fruit bearing

trees in the premises of said school by utilizing the amount of Rs.10,000/-.

5. It is expected that the students and teachers shall grow and maintain these fruit bearing trees, particularly from the month of January, 2025 to July, 2025 by providing water, etc. to the trees. It is expected that they shall make team of the students, who will fetch water in the bottles and serve to the trees.

6. It is also expected that the fruits of those trees shall not be sold. Those fruits shall be provided to the students.

7. The Headmaster to report the progress to the Registrar of this Court once in the year in the month of June for five years with photograph of trees.

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8. This is an application for granting stay under Order 41 Rule 5 of the Code of Civil Procedure, 1908.

9. Perused the application.

10. Heard learned Advocates for both sides.

11. Learned advocate for the appellant submits that within eight weeks, the appellant would deposit the amount under award.

12. The application is, therefore, allowed subject to depositing the entire amount under award along with interest accrued thereon in the abovesaid school.

13. Stand over after eight weeks.

[SANJAY A. DESHMUKH, J.]