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

CIVIL APPLICATION [CAF] NO.2972 OF 2024
IN
FIRST APPEAL ST. NO.16890 OF 2023

[The Executive Engineer, Minor Irrigation Division, Karnaj .vs. Vishwambar Nana Ther and others]

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

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Mr. M.A. Kadu, Advocate for appellant.
Mr. Gaurav Gadge, Advocate for respondent no.1.
Ms. M.R. Kavimandan, AGP for respondent nos.2 and 3.

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CORAM : SANJAY A. DESHMUKH, J.
DATE : 16th OCTOBER, 2024.

1. This is an application for condonation of delay of 59 days in filing the appeal. Perused the application.

2. Heard the learned Advocates for both the sides.

3. Learned Advocate for respondent no.1 and learned AGP for respondent nos.2 and 3 have strongly opposed the application.

4. From the grounds raised in the application, it appears that the proposal was sent to the higher authorities of Nagpur Division, Nagpur and it requires more time. Therefore, the delay is not deliberately caused.

5. Considering the grounds stated in the application, it appears that the delay is not deliberately caused, the application deserves to be allowed in the interest of justice. The delay of 59 days caused in filing the appeal is hereby condoned.

6. The application is allowed and disposed.

First Appeal St. No.16890/2023

1. Heard.

2. Issue notice to the respondents.

3. Mr. Gaurav Gadge, learned Advocate waives notice for respondent no.1 and Ms. M.R. Kavimandan, learned AGP waives notice for respondent nos.2 and 3.

Civil Application (CAF) No.2973/2024

1. This is an application for grant of stay to the execution of judgment and award passed by the reference court.

2. Perused the application. Heard the learned Advocates for both the sides.

3. Learned Advocate for the appellant submits that within twelve weeks from today, he will deposit the entire amount as per the award in this court.

4. Considering his submission, subject to deposit the entire amount as per the award in this court, within twelve weeks from today, the application is allowed in terms of prayer clause (i).

5. The application is allowed and disposed.

(SANJAY A. DESHMUKH, J.)

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Signed by: A.S. GULANDE
Designation: PS To Honourable Judge
Date: 19/10/2024 11:56:44