



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

CIVIL APPLICATION (CAF) NO. 1846 OF 2024
IN
FIRST APPEAL ST. NO. 11448 OF 2024

VIDARBHA PATBANDHARE VIKAS MAHAMANDAL
Vrs.
MAHADEV AATMARAM SABE AND OTHERS

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

Court's or Judge's Order

Shri M. A. Kadu, Advocate for appellant.
Shri A. S. Deshpande, Advocate for respondent Nos.1 and 2.
Shri S. C. Joshi, AGP for respondent Nos.3 and 4.

CORAM: SANJAY A. DESHMUKH, J.
DATE : 03/12/2024.

1. This is an application for condonation of delay of 45 days caused for filing appeal.
2. Perused the application.
3. Heard learned Advocates for both sides.
4. Learned Advocate for the appellant pointed out that for processing the proposal of preferring this appeal, delay of 45 days is caused. It appears that delay is not deliberately caused. Application deserves to be allowed, in the interest of justice.
5. Application is allowed. Delay of 45 days is condoned.
6. The application is disposed of.

CIVIL APPLICATION (CAF) NO. 3467 OF 2024

7. This is an application for permission to withdraw the amount deposited by the appellant as per the award.

8. Perused the application.

9. Heard learned Advocates for both sides.

10. Considering the fact situation, it would be proper to allow this application.

11. Out of amount of Rs.7,08,841/-, Registry is directed to pay 75% amount to the respondent Nos.1 and 2 as follows :-

i] 50% amount be paid on usual undertaking and 25% amount be paid on execution of solvent surety / security to the respondent Nos.1 and 2.

12. Application is allowed and disposed of.

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13. Heard.

14. **Admit.**

15. Call for Record and Proceedings.

16. Shri A. S. Deshpande, learned advocate waives service of notice for respondent Nos.1 and 2.

17. Shri S. C. Joshi, learned AGP waives service of notice for respondent Nos.3 and 4.

[SANJAY A. DESHMUKH, J.]