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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FIRST APPEAL (ST) NO. 6347 OF 2025
WITH
INTERIM APPLICATION NO. 7998 OF 2025
(Condonation of Delay)
WITH
INTERIM APPLICATION NO. 7999 OF 2025
(Stay Application)

Executive Engineer … Applicant/Appellant
Kadwa Canal Project
Nashik Division
Vs.
Vishwanath Ranganath Niphade … Respondents
and Others

Ms. Chaitrali Deshmukh for the Applicant/Appellant.

Mr. Sachin Gite for the Respondents.

Mr. D. J. Haldankar, AGP for the Respondent -State.

CORAM : GAURI GODSE, J.

DATE : 10th OCTOBER 2025

ORDER :

Interim Application No. 7998 of 2025

1. This application is for condonation of delay in filing the first appeal. First Appeal is filed to challenge the order granting enhancement of compensation in Land Acquisition Reference. Learned counsel for the applicant submits that the reasons for the delay are explained in paragraph 5 of the application.

RAJESHWARI RAMESH PILLAI
Digitally signed by RAJESHWARI RAMESH PILLAI
Date: 2025.10.27 03:48:44 +0200

2. The respondents (claimants) are served and are represented through advocate.

3. In the facts and circumstances of the case and for the reasons stated in the application, delay is condoned and the application is allowed in terms of prayer clause (b).

First Appeal (St) No. 6347 of 2025

4. Admit.

5. Learned Advocate for the respective respondents waive service.

6. Call for records and proceedings.

7. Printing is dispensed with.

8. Learned advocate for the appellants shall file a private paper book within a period of one year from today.

9. Office objections, if any, shall be removed within a period of eight weeks from today.

Interim Application No. 7999 of 2025

10. This application is for stay to the execution of the impugned award. Respondents (claimants) are served and are represented through Advocate. This court has already granted ad-interim stay subject to depositing the entire

amount in the executing court. If the amount is not yet deposited, the same shall be deposited within twelve weeks from today. Subject to depositing the entire amount as per the impugned order within twelve weeks from today, there will be interim stay in terms of prayer clause (b).

11. It is clarified that if the amount is not deposited, the respondents (claimants) shall be entitled to execute the impugned order.

12. If the amount is deposited, the respondents-claimants shall be permitted to withdraw 50% of the amount so deposited subject to filing usual undertaking stating that the amount shall be brought back by the claimants as would be directed by this court or the executing court as the case may be. So far as the remaining 50% is concerned, the claimants shall be permitted to withdraw the same on furnishing the bank guarantee to the satisfaction of the executing court.

13. Interim Application is allowed in the aforesaid terms.

[GAURI GODSE, J.]