



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

CIVIL APPLICATION (CAF) NO. 2740 OF 2024
WITH
CIVIL APPLICATION (CAF) NO. 2742 OF 2024
WITH
CIVIL APPLICATION (CAF) NO. 522 OF 2025
IN
FIRST APPEAL (ST) NO. 10223 OF 2024

(Vidarbha Patbandhare Vikas Mahamandal, Shegaon V/s Ganesh Dasharath Sabe & Ors.)

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

Court's or Judge's orders

Mr. V. B. Rathi, Advocate for Appellant.
Mr. Chaitanya Kulkarni, Advocate h/f Mr. A. S.
Deshpande, Advocate for Respondent Nos.1 & 2.
Ms. H. S. Dhande, AGP for Respondent Nos.3 & 4.

CORAM : ROHIT W. JOSHI, J.
DATE : FEBRUARY 20, 2025.

CIVIL APPLICATION (CAF) NO. 2740 OF 2024

1. By this Application, the Appellant is seeking condonation of 44 days delay in filing the Appeal.

2. The delay of 44 days has occurred in filing the Appeal under Section 74 of the Right to Fair Compensation and Transparency In Land Acquisition, Rehabilitation and Resettlement Act, 2013. The delay is attributed to official formalities. The delay is properly explained.

3. In view of the aforesaid, Civil Application is allowed, although the learned Counsel for Respondent Nos.1 and 2 strongly opposes the same.

4. The delay of 44 days caused in filing the Appeal is hereby condoned.

5. First Appeal be registered.

FIRST APPEAL (ST) NO. 10223 OF 2024

. Heard. **Admit.** Call R & P

2. Mr. Kulkarni, the learned Counsel holding for Mr. A. S. Deshpande, waives service of notice on behalf of the Respondent Nos.1 and 2 and Ms. Dhande, the learned AGP waives service of notice on behalf of the Respondent Nos.3 and 4.

CIVIL APPLICATION (CAF) NO. 2742 OF 2024

. In compliance of orders dated 11/10/2024 and 24/1/2025, the Appellant has deposited 75% of the amount awarded under the impugned Judgment and Award.

2. In view of the aforesaid, interim relief granted vide order dated 11/10/2024 stands confirmed and shall operate till final disposal of the Appeal, subject to right of the Respondent Nos.1 and 2 to seek withdrawal of the amount deposited.

3. Civil Application stands disposed of accordingly.

CIVIL APPLICATION (CAF) NO. 522 OF 2025

. By this Application, the Respondent Nos.1 & 2/ Claimants are seeking permission to withdraw the amount deposited by the Appellant with this Court.

2. In connected First Appeals, the land owners have been permitted to withdraw the entire amount deposited by the Appellant with this Court i.e. 75% of the amount awarded under the impugned Judgment and Award along with accrued interest, on furnishing usual undertaking.

3. In view of the aforesaid, although the Application is opposed by the learned Counsel for the Appellant, permission to withdraw the entire amount deposited by the Appellant with this Court along with accrued interest is granted to the Respondent Nos.1 and 2, on furnishing usual undertaking.

4. Civil Application stands disposed of accordingly.

(ROHIT W. JOSHI, J.)