



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

CIVIL APPLICATION (CAF) NO.734 OF 2026 IN
FIRST APPEAL STAMP NO. 19763 OF 2025

Executive Engineer, Van Project Division and another
Vs.

Shivratan Premasukhdas Tawari and others

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

Court's or Judge's orders

Shri P.B. Patil, Advocate for petitioners
Shri H.S. Dhande, AGP for respondent/State
Shri S.S. Gaikwad, Advocate for respondent No.1

**CORAM : SMT. M.S. JAWALKAR AND
NANDESH S. DESHPANDE, JJ.**

DATED : 27.02.2026

This is an application under Section 5 of the Limitation Act for condonation of delay in filing the first appeal. The reasons for the delay caused are stated in paragraph Nos. 3, 4 and 5 of the said application.

2. The said application is opposed by the learned Counsel for the respondents, stating that there is no reasonable cause to condone the delay.

3. However, after going through the application, we are satisfied that a sufficient cause has been made out to condone the delay. The delay of 56 days caused in filing the first appeal is condoned.

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Shri Patil, learned Counsel for the appellant, tenders across the Bench a civil application bearing CAF ST.

No. 2684/2026, which is seeking stay of the impugned judgment and award. The said application is filed under Order 41 Rule 5 of the Civil Procedure Code.

2. We have heard the learned Counsel for the parties.

3. Learned Counsel for the appellant states that the appellants are ready to deposit the original amount of Rs.3,85,09,328/- within two weeks from the date of the order.

4. He also submits that the interest accrued on the said principal amount would be deposited within ten weeks from today.

5. The application is therefore allowed in following terms:

6. The appellants to deposit the amount of Rs.3,85,09,328/-, within three weeks with the Registry of this Court, from the date of this order.

7. Furthermore, the appellants are directed to deposit the interest accrued on the said amount within 10 weeks with the Registry of this Court, from the date of this order.

8. The impugned judgment and award is stayed subject to deposit of amounts as stated above.

9. The application is allowed and disposed of.

10. To be heard along with FAST No.12952/2025.

(NANDESH S. DESHPANDE, J.) (SMT. M.S. JAWALKAR, J.)

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