



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

CIVIL APPLICATION NO.1065 OF 2026

IN

FIRST APPEAL NO.470 OF 2023

VIDC, Yavatmal Vs. Suresh Mahadeo Sawwalakhe and Others

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Ms. A.S. Athalye, Advocate for the Petitioner/s.

Mr. S.G. Varshani, Advocate for the Respondent No.2.

Mr. M.A. Kadu, AGP for the Respondent Nos.3 and 4/State.

CORAM: PRAFULLA S. KHUBALKAR, J.

DATED : 24th FEBRUARY, 2026

1. By this application, the applicant/appellant seeks condonation of delay and extension of time to deposit the cheque for the amount of compensation.

2. It is pointed out that by an Order dated 21.08.2023 on Civil Application No.1612/2023, this Court has allowed the application filed by the applicant/appellant and granted stay to the execution of impugned judgment and award dated 02.08.2021, subject to deposit of the entire amount of compensation within a period of 8 weeks from that day. However, the amount was not deposited within the period of 8 weeks, neither any application was filed before the expiry of the said period of 8 weeks.

3. The interim relief granted by this Court was continued and now this application for extension of time and permission to deposit the amount is filed on 06.02.2026.

4. Perusal of the application shows that only reason is about paucity of funds. Undisputedly, the application is filed

after a period of about two years and five months and there is no convincing explanation for this delay.

5. Although the applicant/appellant has enjoyed the interim relief for the entire period, it appears that the applicant/appellant has treated the order passed by this Court casually and has not bothered to comply the same within a period of 8 weeks', granted initially and has not even bothered to submit an application before expiry of the period of 8 weeks.

6. Despite this, considering the fact that the original claimants are entitled for the amount of compensation, which is to be deposited by the appellant-insurance company, even though the reasons mentioned are not convincing and sufficient, only in the interest of justice, the applicant/appellant is required to be granted time to deposit the amount. However, subject to cost of Rs.3,000/- (Rupees Three Thousand Only) to be deposited within a period of two weeks from today in the 'Public Welfare Account', which is directed to be opened by an Order dated 12.01.2026, passed by the Hon'ble Division Bench of this Court in *Suo Moto Public Interest Litigation (SMPIL)* No.01/2021, the details of which can be obtained from the Registrar (Judicial), Nagpur Bench, Nagpur.

7. The applicant/appellant is accordingly permitted to deposit the cheque towards the amount of compensation in this Court. After the amount is deposited, the impugned order shall stand stayed during the pendency of the appeal. In view of that, civil application is **allowed** and **disposed of**.

(PRAFULLA S. KHUBALKAR, J.)

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