

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

**CIVIL APPLICATION (CAF) NO. 3419 OF 2018**  
**IN**  
**FIRST APPEAL STAMP NO. 4100 OF 2018**

V.I.D.C., through its Executive Engineer, Canal Division Bembla Project, Yavatmal,  
Dist. Yavatmal and another.

V/s

Mr. Sheikh Farukh Sheikh Gaffar and others.

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

*Court's or Judge's orders.*

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Shri M.A. Kadu, counsel for the applicants/appellants.  
Ms H.N. Jaipurkar, AGP for the respondent Nos. 2 and 3.

**CORAM: ARUN D. UPADHYE, J.**  
**DATE: 08-04-2019.**

Heard learned counsel for the parties.

Perused the application. There is delay of 379 days  
in filing first appeal. For the reasons stated in the application,  
delay is condoned. Civil application is allowed.

**FIRST APPEAL STAMP NO. 4100/2018**

Heard.

**Admit.**

Call for record and proceedings.

Ms H.N. Jaipurkar, learned AGP waives notice for  
the Respondent Nos. 2 and 3.

Appellants to file private paper book within six  
months.

**CIVIL APPLICATION (CAF) NO. 3420/2018**

Heard.

Learned counsel for the appellants has submitted that the part amount of compensation is deposited before the Reference Court and part amount is deposited in this Court and prays that the execution of impugned order be stayed.

In view of the statement made on behalf of the appellants, the impugned judgment and award dated 30/07/2016 passed by the 2<sup>nd</sup> Joint Civil Judge, Senior Division, Yavatmal in L.A.C. No. 68/2013 is hereby stayed, until further order.

Civil application is allowed.

**JUDGE**