



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

**CIVIL APPLICATION (CAF) NO. 2044 OF 2026
IN
FIRST APPEAL ST. NO. 5203 OF 2026**

THE EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION, PUSAD, YAVATMAL
Vrs.
SHRI MAROTI MASAJI DANTALWAD AND OTHERS

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri Tariq Mohammad Zaheer, Advocate for applicant/appellant.
Shri H. D. Dubey, AGP for non-applicant Nos.2 and 3.

CORAM: Y. G. KHOBRAGADE, J.
DATE : 05/05/2026.

1. Heard Shri Tariq Zaheer, learned counsel appearing for the applicant.
2. By the present application, applicant - Acquiring Body is seeking condonation of delay of 559 days caused while lodging the appeal against the judgment and decree dated 09/05/2024 passed in LAC No.231/2017 by the learned Civil Judge, Senior Division, Umarkhed.
3. Issue notice to the non-applicants, returnable on **23/06/2026**.
4. Shri H. D. Dubey, learned AGP waives service of notice for non-applicant Nos.2 and 3.
5. The applicant is permitted to serve the non-applicant No.1 by speed post, in addition to regular mode of service.

Civil Application (CAF) No.2045/2026

6. By the present application, applicant - Acquiring Body is seeking stay to the effect, operation and execution of the impugned judgment and decree dated dated 09/05/2024 passed in LAC No.231/2017 by the learned Civil Judge, Senior Division, Umarkhed.

7. Considering the nature of the claim, the effect, operation and execution of the impugned judgment and decree dated dated 09/05/2024 passed in LAC No.231/2017 by the learned Civil Judge, Senior Division, Umarkhed is hereby stayed, subject to deposit of entire amount of compensation with accrued interest within a period of eight weeks from today.

8. It is made clear that if the applicant fails to deposit the said amount within stipulated period, in that event, the impugned order shall stand vacated without further reference to the Court.

[JUDGE]