



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

Civil Application [CAF] No.2023 of 2026

in

First Appeal St.No.5404 of 2026

The Executive Engineer, Minor Irrigation Division, Pusad, Yavatmal

vs.

Shri Mohann Tana Rathod and others

*Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.*

Court's or Judge's Orders

Mr. Tariq Zaheer, Advocate for the Applicant/Appellant.

Mr. B.M. Lonare, A.G.P. for Non-Applicant/Respondent Nos.2 & 3.

CORAM : **Y.G. KHOBRAGADE, J.**

DATE : **7th MAY, 2026.**

Heard the learned Counsel appearing for the applicant.

02. By the present application, the applicant seeks condonation of delay of 560 days caused while lodging the appeal challenging the judgment and award dated 09/05/2024 passed in L.A.R. No.446/2017 by learned Civil Judge Senior Division, Umarchhed, District Yavatmal.

03. Issue notice to the non-applicants, returnable on 25th June, 2026.

04. The learned A.G.P. waives service of notice for non-applicant Nos.2 and 3.

05. The applicant is permitted to serve non-applicant No.1 by Speed Post in addition to regular mode of service.

Civil Application [CAF] No.2024/2026:

Heard.

02. By the present application, the applicant seeks to stay the effect, operation and execution of the impugned judgment and award

dated 09/05/2024 passed in L.A.R. No.446/2017 by learned Civil Judge Senior Division, Umarkhed, District Yavatmal.

03. Considering the grounds set out in the application as well as the nature of claim, the impugned judgment and award is hereby stayed subject to deposit of entire amount of compensation with accrued interest thereon with this Court within a period of eight weeks from today. It is made clear that, if the applicant fails to deposit the entire amount of compensation within the stipulated period, in that event, the interim order shall stand vacated automatically without further reference to the Court.

JUDGE

**sandesh*