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

FIRST APPEAL NO. 196 OF 2017

The Executive Engineer,
Nagpur Medium Project Division,
(VIDC), Nagpur ..APPELLANT

VERSUS

Shri Suresh s/o Chandrabhan Kokarde ..RESPONDENT

Mr Anoop Parihar, Advocate for appellant;
Mr S.R. Kshirsagar, Advocate for respondent No.1;
Mrs Kalyani Deshpande, A.G.P. for respondent Nos.2
and 3

CORAM : N.W. SAMBRE, J.

DATE : 6th APRIL, 2017

ORAL ORDER :

On 11th April, 2016 conditional stay was granted in favour of the appellant – acquiring body, which came to be vacated, as the order of directing deposit of decretal amount was not complied with. This Court, thereafter, showed indulgence and ordered notice for final disposal by granting leave to file appeal and condoning delay, on 27th February, 2017.

2. The order of deposit is neither complied



(2)

with nor any bonafides are shown.

3. If the amount as ordered is not deposited within four weeks from today, the Court will be constrained to recall the order of condoning delay and will dismiss the appeal being time barred.

4. Stand over for four weeks.

(N.W. SAMBRE, J.)

Tupe