

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

**FIRST APPEAL (ST) NO. 14144/2018**

Executive Engineer, Medium Irrigation Project Deivision, Yavatmal Vs. Ambadas  
Ramchandra Pawar & ors.

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

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Court's or Judge's Orders.

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Shri A. S. Athalye, Advocate for appellant.  
Shri M. A. Kadu, AGP for respondent Nos. 4 & 5.2 & 3.

**CORAM : SMT. ANUJA PRABHUDESSAI, J.**

**DATE : 11.02.2021.**

By order dated 25.01.2021, this Court had directed the appellant to file a detailed affidavit giving reasons for not depositing the enhanced compensation as per impugned judgment. Pursuant to the said order, affidavit has been filed. Learned counsel for the appellant states that subsequent to the order dated 26.03.2019, the appellant had deposited amount of Rs. 8,34,936/- before the Reference Court and that the appellant was required to deposit only balance amount of Rs. 14,49,068/- towards interest. She states that this fact was not brought to the notice of the Court on the date the order dated 25.01.2021 was passed. Learned counsel for the appellant submits that since the principal amount has been

deposited before the Reference Court. The appellant is not liable to pay any additional amount in lieu of non-deposit of interest component and as such, no financial loss is caused to the acquiring body.

2. Learned counsel for appellant seeks one week time to deposit balance amount of Rs. 14,49,068.

3. Leave granted. Appellant is directed to deposit the balance amount before this Court within a period of one week.

**CIVIL APPLICATION (CAF) NO. 2765/2018**

4. The appellant has filed an application for condonation of delay of 225 days in filing the appeal. In view of the reasons stated in the application, delay is condoned.

5. Application stands disposed of.

6. Matter be listed for admission after three weeks.

(SMT. ANUJA PRABHUDESSAI, J.)