

RFA. No. _____ of 2016

31.08.2016 Present: Mr. Vivek Negi, Advocate for the appellants.

Mr. B.M. Chauhan, Advocate for respondents No. 1 to 13.

Mr. Vivek Sharma, Advocate for respondent No. 14.

CMP(M) No. 1242 of 2016.

Notice. Mr. B.M. Chauhan, Advocate appears and accepts service of notice on behalf of respondents No. 1 to 13 and Mr. Vivek Sharma, Advocate on behalf of respondent No. 14.

Heard. Having gone through the contents and the reasons stated in the application and as no reply is intended to be filed on behalf of the respondents/non-applicants, the delay of 128 days as occurred in filing the main appeal seems to be neither intentional nor deliberate and rather stands duly explained. Being so, this application is allowed and the delay as occurred in filing the main appeal is condoned. The application stands disposed of.

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Admit.

Copy of grounds of appeal be supplied to the learned counsel for the respondents during the course of the day.

CMP No. of 2016

Heard. Learned counsel for the appellant submits that as per the record available with him, the enhanced amount of compensation has not been deposited so far. Since the legality and validity of the impugned award has been assailed before this Court in the main appeal, the disposal whereof may take slightly longer time, it would be in the ends of justice that the execution of the impugned award is stayed during the pendency of main appeal, subject to the condition that the enhanced amount of compensation is deposited within six weeks from today. The application is accordingly allowed. Consequently, the execution of the impugned award during the pendency of the main appeal shall remain stayed. It is, however, made clear that in case the needful is not done within the stipulated period, this order shall stand vacated automatically. The application stands disposed of.

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(Dharam Chand Chaudhary),
August 31, 2016(s.t.)
Judge

