

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

CIVIL APPLICATION NO. 12990 OF 2013

IN

FIRST APPEAL ST. NO. 25680 OF 2013

(The State of Maharashtra & Anr. Vs. Yedu Mahadu Dalavi &
Ors.)

WITH

C.A. NO. 12992 OF 2013 IN F.A.ST. NO. 25655 OF 2013

C.A. NO. 12994 OF 2013 IN F.A.ST. NO. 25677 OF 2013

Mr. N.B. Patil, AGP for respondent/State.

Mr. C.K. Shinde, Advocate for non-applicants.

CORAM : A.M. BADAR, J.

DATED : 05.12.2015

P.C. :-

1. These are applications for stay to the effect and operation of Award of the learned Reference Court by which amount of compensation came to be enhanced.

2. Heard learned A.G.P. appearing for applicants as well as Mr. C.K. Shinde, learned Counsel appearing for non-applicants/original claimants. According to learned AGP, enhancement is exorbitant and not in tune with evidence on record. Therefore, same needs to be stayed. As against this, according to Mr. Shinde, learned Counsel appearing for non-applicants, as award is a money decree, it cannot be stayed.

3. Considering rival submissions as well as considering quantum of enhancement, following order :-

i. Impugned judgment and award passed by the learned Reference Court is stayed on condition that applicants should deposit entire amount under Award within a period of 12 weeks from today.

4. Civil Applications are accordingly disposed of.

[A.M. BADAR, J.]