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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELATE JURISDICTION
CIVIL APPLICATION NO.1634 OF 2015 IN
FIRST APPEAL NO.531 OF 2015

The State of Maharashtra & Anr. ...Applicants
vs.
Smt.Lalita Atmaram Mhatre & Ors. ...Respondents

Mr.A.R.Patil, AGP for the applicants
Mr.Hemant Ghadigaonkar for the respondent Nos.1 to
4.

CORAM : A.S.OKA, &
 REVATI MOHITE DERE, JJ.
DATE : JUNE 9, 2015

P.C.:

1 Heard the learned AGP for the State and the learned counsel for the respondent Nos.1 to 4. The First Appeal has been admitted for final hearing. The impugned Judgment and Decree is in the nature of a money Decree. Hence, as a condition for grant of stay, the applicants will have to deposit entire decretal amount.

2 Accordingly, we dispose of the application by passing following order:

- (i) There will be interim relief in terms of prayer clause (b) subject to the condition of the applicants depositing entire decretal amount with the Reference Court within a period of three months from today;

- (ii) On the failure of the applicants to deposit the entire decretal amount within stipulated time, the stay shall stand vacated without further reference to the Court;
- (iii) If the amount is deposited within stipulated period, the Reference Court shall permit the respondents to withdraw the amount on furnishing adequate security to its satisfaction. Before accepting the security, the Reference Court shall hear the applicants;
- (iv) On failure of the respondents to furnish security within a period of four months from the date of receipt of writ of this order, the amount shall be invested in any nationalised bank till the disposal of the Appeal;
- (v) Civil Application is disposed of.

(REVATI MOHITE DERE, J.)

(A.S.OKA, J.)