

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CIVIL APPELLATE JURISDICTION.**

CIVIL APPLICATION NO. 26 OF 2015
IN
FIRST APPEAL (ST.) NO. 2491 OF 2014
WITH
CIVIL APPLICATION NO. 28 OF 2015
IN
FIRST APPEAL (ST.) NO. 1604 OF 2014
WITH
CIVIL APPLICATION NO. 30 OF 2015
IN
FIRST APPEAL (ST.) NO. 1609 OF 2014
WITH
CIVIL APPLICATION NO. 32 OF 2015
IN
FIRST APPEAL (ST.) NO. 1599 OF 2014
WITH
CIVIL APPLICATION NO. 34 OF 2015
IN
FIRST APPEAL (ST.) NO. 1593 OF 2014
WITH
CIVIL APPLICATION NO. 36 OF 2015
IN
FIRST APPEAL (ST.) NO. 1587 OF 2014
WITH
CIVIL APPLICATION NO. 38 OF 2015
IN
FIRST APPEAL (ST.) NO. 1583 OF 2014
WITH
CIVIL APPLICATION NO. 40 OF 2015
IN
FIRST APPEAL (ST.) NO. 1515 OF 2014
WITH
CIVIL APPLICATION NO. 42 OF 2015
IN
FIRST APPEAL (ST.) NO. 1508 OF 2014
WITH
CIVIL APPLICATION NO. 44 OF 2015

IN
FIRST APPEAL (ST.) NO. 1498 OF 2014
WITH
CIVIL APPLICATION NO. 46 OF 2015
IN
FIRST APPEAL (ST.) NO. 1489 OF 2014
WITH
CIVIL APPLICATION NO. 48 OF 2015
IN
FIRST APPEAL (ST.) NO. 1479 OF 2014
WITH
CIVIL APPLICATION NO. 50 OF 2015
IN
FIRST APPEAL (ST.) NO. 2503 OF 2014
WITH
CIVIL APPLICATION NO. 52 OF 2015
IN
FIRST APPEAL (ST.) NO. 2500 OF 2014
WITH
CIVIL APPLICATION NO. 54 OF 2015
IN
FIRST APPEAL (ST.) NO. 1523 OF 2014
WITH
CIVIL APPLICATION NO. 56 OF 2015
IN
FIRST APPEAL (ST.) NO. 1532 OF 2014
WITH
CIVIL APPLICATION NO. 58 OF 2015
IN
FIRST APPEAL (ST.) NO. 2497 OF 2014
WITH
CIVIL APPLICATION NO. 60 OF 2015
IN
FIRST APPEAL (ST.) NO. 2494 OF 2014
WITH
CIVIL APPLICATION NO. 62 OF 2015
IN
FIRST APPEAL (ST.) NO. 2506 OF 2014
WITH
CIVIL APPLICATION NO. 64 OF 2015
IN

**FIRST APPEAL (ST.) NO. 2510 OF 2014
WITH
CIVIL APPLICATION NO. 66 OF 2015
IN
FIRST APPEAL (ST.) NO. 2523 OF 2014
WITH
CIVIL APPLICATION NO. 68 OF 2015
IN
FIRST APPEAL (ST.) NO. 2530 OF 2014**

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Ms. Bhavna Khemani for the applicant.
Mr. A.R. Patil, AGP for the respondent no.1/State.

**CORAM : K. K. TATED, J.
DATED : 16/01/2015.**

P.C.:

. Heard learned Counsel Ms. Khemani for the applicants and Mr. A.R.Patil, AGP for respondent no.1.

2 All these Civil Applications are preferred by Acquiring Body for stay of operation and implementation of the common Judgment and Award dated 03.08.2012 passed by the Reference Court awarding enhanced compensation in respect of acquired land.

3 The learned Counsel for the applicant submits that if entire amount is recovered by the respondents original claimants, nothing will

survive in the First Appeals. She submits that Reference Court awarded enhanced compensation for acquired land without considering the evidence on record. She further submits that applicant has good chance of success in the present proceeding. Hence till the hearing and final disposal of the First Appeals, this Hon'ble Court be pleased to stay the operation and implementation of impugned Judgment and Award dated 03.08.2012 passed by the Reference Court.

4 The learned Counsel for the applicant further submits that if stay is not granted irreparable loss and injury will be caused to the applicant.

5 Considering the submissions made by the learned Counsel for the applicant, averments made in Civil Application and considering the impugned common Judgment dated 03.08.2012, I am satisfied that applicant has made out case for allowing the Civil Application.

6 At the same time, applicant to deposit the entire decretal amount in the Reference Court within 8 weeks from today, failing which Civil Applications shall stand dismissed without referring back to the court

7 As this order is passed without issuing notice to the respondents original claimants, liberty granted them to prefer appropriate application for

withdrawal of amount, if they so desire, and that application will be decided on its own merits.

8 Hence, the following order.

a) The operation and implementation of common Judgment and Award dated 03.08.2012 passed by the Reference Court in land References is stayed on condition that applicant to deposit the entire decretal amount including interest and costs, if any, in Reference Court within 8 weeks from today, failing which Civil Applications shall stand dismissed without referring back to the court

b) Reference Court is directed to invest the entire amount if deposited by the applicant in fixed deposit of any nationalised bank initially for the period of one year and same to be continued till further order.

c) Liberty granted to the Respondents/ Claimants to prefer appropriate application for withdrawal of amount, if they so desire, and that application will be decided on its own merits.

d) Civil Applications are disposed of accordingly.

(K.K.TATED, J.)