

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

rpa

**CIVIL APPLICATION NO.2000 OF 2014
IN
FIRST APPEAL NO.669 OF 2014**

The State of Maharashtra .. Applicant

Vs.

Jayram Kaluram Thakur

(Since deceased through his LR's)

1.Smt. Kusum Jayram Thakur & Ors.

.. Respondents

....

Mr.A.R. Patil, AGP for Respondent – State.

Mr.Sachin Suryakant Punde, Advocate for Respondent Nos.1 to 6.

....

**CORAM : A.S. OKA &
A.P. BHANGALE, JJ.**

DATED : MARCH 25, 2015.

P.C. :

Not on board. Taken on board.

2 It is pointed out that the Execution Application has been fixed before the trial Court on 27th March, 2015.

3 Appeal challenging the Award under Section 18 of the Land Acquisition Act, 1894 has been admitted. The prayer is for stay of execution of the said Award. The Award is in the nature of a money

decree. Hence, the entire amount payable under the Award will have to be deposited.

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

:: ORDER ::

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

(ii) If the amount is not deposited within the stipulated time, interim stay shall stand vacated without further reference to the Court;

(iii) If the amount is deposited, it will be open for the original claimants to withdraw the amount subject to furnishing adequate security for the entire amount to the satisfaction of the Reference Court. Before accepting the security, the Reference Court shall hear the applicant;

(iv) Immediately on deposit of the amount, the same shall be invested in Fixed Deposit for appropriate period;

(v) The application is disposed of on the above terms.

(A.P. BHANGALE, J.)

(A.S. OKA, J.)