

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.2757 OF 2015
IN
FIRST APPEAL ST.NO.12326 OF 2014

The State of Maharashtra .. Applicant
Vs
Shri Namdeo Yeshwant Gharat & Anr. .. Respondents

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Shri A.R. Patil, AGP for the Applicant.
Shri Sachin S. Punde for the Respondents.
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CORAM : A.S. OKA &
K.R. SHRIRAM, JJ
DATED : 28TH AUGUST 2015

PC.

. Rule. The learned counsel appearing for the Respondent waives service.

2. The First Appeal has been already admitted for hearing. Hence, we dispose of the Application by passing the following order:

ORDER :

- (a) There shall be interim relief in terms of prayer clause (b) of the Application, subject to the condition of the Applicant depositing the entire compensation amount in terms of the impugned judgment and award with the Reference Court within a period of three months from today;

- (b) If the amount of compensation is not deposited within the stipulated time, the stay shall stand vacated without further reference to the Court;
- (c) It will be open for the Respondents/original Claimants to withdraw the entire amount of compensation on furnishing adequate security to the satisfaction of the Reference Court;
- (d) Before accepting the security, the Applicant shall be heard by the Reference Court;
- (e) If the Respondent fails to withdraw the amount of compensation within a period of six months from the date on which the same is deposited with the Reference Court, the entire amount of compensation shall be invested in a fixed deposit in any nationalized bank till the disposal of the Appeal.
- (f) The Rule is made absolute on above terms.

(K.R. SHRIRAM, J)

(A.S. OKA, J)