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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

**CIVIL APPLICATION NO.2643 OF 2015
IN
FIRST APPEAL (ST) NO.12365 OF 2014**

The State of Maharashtra

..Applicant.

V/s.

Mahadeo Sakharam Thakur

..Respondent.

Mr.A.R. Patil, AGP for the applicant.

Mr.Anand Kulkarni i/b. Sachin Suryakant Punde for respondent.

**CORAM : A.S.OKA AND
V.L.ACHLIYA, JJ.**

DATED : 26TH OCTOBER, 2015

P.C. :-

1. Heard the learned AGP for the applicant and the learned counsel appearing for the respondent. The appeal has been admitted for final hearing. Hence, the Civil Application is disposed of by passing the following order:-

- (i) There shall be an interim relief in terms of prayer clause (b) 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 6 weeks from today. If the amount is not deposited within the

stipulated time, the stay shall stand vacated without further reference to the Court;

- (ii) If the amount is so deposited, the Reference Court shall permit the respondent-claimant to withdraw the said amount subject to furnishing adequate security. The security shall be to the satisfaction of the Reference Court. Before accepting the security, the Reference Court shall give an opportunity of being heard to the applicant-State;
- (iii) If the respondent-claimant fails to withdraw the compensation amount on furnishing adequate security within the a period of 6 months from the date on which the amount is deposited with the Reference Court, the same shall be invested in a fixed deposit with any nationalised bank till the final disposal of the appeal;
- (iv) The Civil Application is disposed of in above terms.

(V.L.ACHLIYA, J.)

(A.S.OKA. J.)