

Atul

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 3515 OF 2015
IN
FIRST APPEAL ST NO. 14083 OF 2014**

The State of Maharashtra, through the Special Land Acquisition Officer & Anr. ...Appellants

Versus

Dhanaji Hiru Mhatre (Deceased, through his Lrs Smt. Muktabai Dhanaji Mhatre) & Ors. ...Respondents

Mr. A. R. Patil, AGP for the Appellant.
Mr. Shriram S. Kulkarni for the Respondents.

**CORAM: A. S. OKA & G.S. PATEL, JJ.
DATED: 10th December 2015**

PC:-

1. Heard learned AGP for the Applicant and the learned counsel appearing for the Respondents. The First Appeal challenging Award made under Section 18 of the Land Acquisition Act, 1894 is admitted for final hearing.

2. Hence, we dispose of this Civil Application by passing the following order:

- (a) There will be an interim relief in terms of prayer clause (b), subject to the condition of the Applicant depositing the entire compensation amount with the Reference Court within a period of three months from today;
- (b) If the amount 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 Original Claimants to withdraw the amount so deposited on furnishing adequate security for the said amount to the satisfaction of the Reference Court. Before accepting such security, the Reference Court shall hear the Applicant;
- (d) If the Original Claimants fail to withdraw the amount deposited on furnishing adequate security within a period of four months from the date on which compensation amount is deposited, the Reference Court shall invest the said amount in fixed deposit with any nationalized bank till the final disposal of the First Appeal.

(G. S. PATEL, J.)

(A. S. OKA, J.)