

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

CIVIL APPLICATION NO. 3170 OF 2014  
IN  
FIRST APPEAL (ST.) NO. 14728 OF 2014  
WITH  
CIVIL APPLICATION NO. 3172 OF 2014  
IN  
FIRST APPEAL (ST.) NO. 14731 OF 2014  
WITH  
CIVIL APPLICATION NO. 3174 OF 2014  
IN  
FIRST APPEAL (ST.) NO. 14736 OF 2014  
WITH  
CIVIL APPLICATION NO. 3176 OF 2014  
IN  
FIRST APPEAL (ST.) NO. 14740 OF 2014  
WITH  
CIVIL APPLICATION NO. 3178 OF 2014  
IN  
FIRST APPEAL (ST.) NO. 14745 OF 2014  
WITH  
CIVIL APPLICATION NO. 3180 OF 2014  
IN  
FIRST APPEAL (ST.) NO. 14749 OF 2014  
WITH  
CIVIL APPLICATION NO. 3182 OF 2014  
IN  
FIRST APPEAL (ST.) NO. 14768 OF 2014  
WITH  
CIVIL APPLICATION NO. 3184 OF 2014  
IN  
FIRST APPEAL (ST.) NO. 14765 OF 2014  
WITH  
CIVIL APPLICATION NO. 3186 OF 2014  
IN  
FIRST APPEAL (ST.) NO. 14761 OF 2014  
WITH  
CIVIL APPLICATION NO. 3188 OF 2014

IN  
**FIRST APPEAL (ST.) NO. 14758 OF 2014**  
 WITH  
**CIVIL APPLICATION NO. 3190 OF 2014**  
 IN  
**FIRST APPEAL (ST.) NO. 14787 OF 2014**  
 WITH  
**CIVIL APPLICATION NO. 3192 OF 2014**  
 IN  
**FIRST APPEAL (ST.) NO. 14840 OF 2014**

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| 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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Mr. V.S.Tadake i/b D.D. Shinde for the applicant.

**CORAM : K. K. TATED, J.**

**DATED : 05/02/2015.**

**PC.:**

. Not on board. At the request of Advocate for the applicant, matter is taken on board for urgent orders.

2 The learned Counsel for the applicant submits that the respondents-claimants filed execution application for recovery of awarded amount. He submits that if the entire amount is recovered by the claimants, nothing will survive in the present proceeding. Hence, he has mentioned the matter.

3 These applications are preferred by Acquired body for stay of operation and implementation of

common Judgment and Award dated 16.04.2013 passed by the Reference Court, awarding enhanced compensation in respect of acquired land.

4 The learned Counsel for the applicant submits that the Reference Court erred in coming to the conclusion that the respondents are entitled for additional compensation in respect of acquired land on the basis of Sale Deed produced by the respondents claimants. He submits that applicants have good chance of success in the present proceedings. He submits that if stay is not granted, irreparable loss and injury will be caused to the applicant.

5 The learned Counsel for the applicant further submits that in view of execution application filed by the respondents-claimants, they already deposited entire decretal amount including interest and cost in the Reference Court. Statement is accepted.

6 As this order is passed without issuing notice to the respondents claimants, liberty granted them to take out appropriate application, if they so desire, for withdrawal of the amount and that application will be decided on its own merits.

7 Hence, the following order.

- a) All Civil Applications are allowed.
- b) The impugned common Judgment and Award dated 16.04.2013 passed by the Reference Court in respective Land References, is stayed.
- c) Liberty granted to respondent-claimants to take out appropriate application, if they so desire, for withdrawal of the amount and that application will be decided on its own merits
- d) The Reference Court is directed to invest the amount in Fixed deposit of any Nationalised Bank, initially for the period of one year and same to be continued till further order.

**(K.K.TATED, J.)**