

nsc.

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

**CIVIL APPLICATION NO.2226 OF 2015
IN
FIRST APPEAL (ST) NO.28725 OF 2014**

The State of Maharashtra	...Applicant/Appellant
v/s.	
Tikamdas Bhagwandas Kukreja and Anr.	...Respondents

Mr.A.R.Patil, AGP for the Applicant/Appellant.
Mr.D.S.Patil, for the Respondent Nos.1 and 2.

**CORAM: A. S. OKA &
REVATI MOHITE DERE, JJ.**

DATED : 1st JULY, 2015.

P.C.

Not on board. Taken on board.

1. Heard the learned AGP appearing for the applicant and the learned counsel appearing for the respondents.

2. The Appeal has been admitted. The impugned Judgment and Award is in the nature of a money decree. Hence, as a condition for grant of stay, the applicant will have to deposit the decretal amount with the Reference Court.

3. Accordingly, we dispose of the application by passing the following order :-

ORDER

- i) There shall be interim relief in terms of prayer clause (b), subject to the condition of the applicant depositing entire decretal amount with the Reference Court, within a period of three months from today ;
 - ii) If the amount is not deposited within the stipulated period, the interim relief shall stand vacated, without further reference to the Court. If the amount is deposited, it will be open for the respondents to withdraw the same on furnishing adequate security to the satisfaction of the Reference Court ;
 - iii) The security shall not be accepted, without giving an opportunity of being heard to the applicant.
4. Civil Application is disposed of on the aforesaid terms.

(REVATI MOHITE DERE,J.)

(A.S. OKA,J.)