

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.4211 OF 2015
with
CIVIL APPLICATION NO.4212 OF 2015
IN
FIRST APPEAL ST. NO.30608 OF 2015

The State of Maharashtra ... Applicant

Vs.

ShriKolashya Jagya Patil
since deceased through
Shri Chandrakant K. Patil & Os. ... Respondents

Mr.A.R. Patil, AGP, for the Applicant
Ms.Nayna P. Patil for Respondent Nos.1 to 4

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **15th DECEMBER, 2015**

P.C.:

1. Civil Application No.4211 of 2015 is for condonation of delay of 314 days. Caveat is filed in this matter and the caveator is present. There is a delay of 314 days in preferring the appeal by the State. The learned AGP submits that the delay is not intentional or deliberate. The learned Counsel for the respondent is present.
2. In view of the reasons given in the application and as It is uncontroverted, the delay is condoned. Civil Application is disposed of.

CIVIL APPLICATION NO.4212 OF 2015

1. By this Civil Application, the learned AGP appearing for the State prays for stay of the impugned judgment and award dated 28.8.2014 passed by the learned Civil Judge, Senior Division, Alibag-Raigad in LAR No.768 of 2000.

2. Heard.

3. The impugned judgment and award dated 28.8.2014 passed by the learned C.J.S.D., Alibag–Raigad in LAR No.768 of 2000 is stayed, subject to the State depositing the entire amount of the award alongwith interest accrued thereon within six weeks from today.

4. S.O. to 2.2.2016 for admission.

5. It is made clear that if the entire decretal amount is not deposited within the time stipulated, the stay will stand vacated forthwith and the original claimants would be free to proceed with the execution proceeding. Subject to this, the Civil Application for stay stands disposed of accordingly.

(MRIDULA BHATKAR, J.)