

ssp

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELATE JURISDICTION
CIVIL APPLICATION NO.963 OF 2015 IN
FIRST APPEAL ST.NO. 34507 OF 2014

The State of Maharashtra ...Applicant
vs.
1 Late Moreshwar Chintaman Gharat
(since deceased through L.Rs) ...Respondents

Mr.A.R.Patil, AGP for the Applicant
Mr.Sachin Punde for the Respondent Nos.1/1, 2/2, 3/1
and 3/2

CORAM : A.S.OKA, &
REVATI MOHITE DERE, JJ.
DATE : JULY 23, 2015

P.C.:

1 Heard the learned AGP for the applicant and the learned counsel for the respondent Nos.1/1, 2/2, 3/1 and 3/2. The First Appeal has been admitted.

2 Hence, we dispose of the application by passing the following order:

(I) Ad-interim relief granted on 20th March 2015 shall continue to operate as interim relief subject to condition of the applicant depositing entire decretal amount with the Reference Court within a period of two months from today;

(II) If the amount is not deposited within stipulated time, the stay shall stand vacated without further reference to the Court;

- (III) If the amount is deposited within stipulated time, the original claimants are free to withdraw the said amount on furnishing adequate security for the said amount to the satisfaction of the Reference Court;
- (IV) The applicant shall be heard before accepting the security;
- (V) If the original claimants fail to withdraw the amount as aforesaid within a period of four months from the date on which the amount is deposited, the same shall be invested in fixed deposit in any nationalised bank till the disposal of the appeal;
- (VI) Civil Application is disposed of.

(REVATI MOHITE DERE,J.)

(A.S.OKA,J.)