

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

CIVIL APPLICATION NO.1839 OF 2013
IN
FIRST APPEAL NO.468 OF 2013

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
---	---------------------------

Mr. A. R. Patil, AGP for State.

Mr. P. A. Gokhale i/b. Anil Ahuja for the Respondent.

CORAM : K. K. TATED, J.

DATE : FEBRUARY 4, 2015

P.C.:

1. Heard. This application is preferred by the State of Maharashtra for stay of the operation and implementation of the impugned judgment and award dated 16/08/2012 passed by the Reference Court in LAR No.268/2003 holding that the Respondent claimants are entitled enhanced compensation of Rs.2,66,765/- with additional benefit as per the provisions of the Land Acquisition Act.

2. The learned AGP submits that they already deposited the decretal amount of Rs.5,40,684/- in the Reference Court. The office has made an endorsement to that effect in the proceedings.

3. Considering the submissions made by the learned AGP and the averments made in the

Application, I am satisfied that the Applicant has made out a case for allowing the present Civil Application. At the same time, liberty granted to the Respondent -claimants to file an appropriate Application for withdrawal of the amount, which will be decided on its own merits.

4. Hence, the following order:

A) Civil Application is allowed in terms of prayer clause (b) which reads thus:

(b) that this Hon'ble Court be pleased to stay the execution, operation and implementation of the judgment and award dated 16/08/2012 passed by the learned Jt. Civil Judge, Senior Division Nashik in LAR No.268/2003 till hearing and final disposal of the above mentioned First Appeal.

B) The Reference Court is directed to invest the entire amount in a fixed deposit account of any Nationalized bank, initially for a period of one year which will be renewed from time to time till hearing and final disposal of the appeal.

C) Liberty granted to the Respondent – claimants to file an appropriate Application for withdrawal of the amount, which will be decided on its own merits.

D) Civil Application stands disposed off accordingly.

JUDGE