

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

FIRST APPEAL NO.661 OF 2014

(Smt. Kamala wd/o Late Shridas Mohta ..vs.. Prabhakar Awachitrao Ganorkar and another)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

CORAM : Z.A. HAQ, J.

DATED : 16-1-2015

Heard Shri B.N. Mohta, the learned Advocate for the appellant and Shri Asghar Hussain, the learned Advocate for the respondents.

Admit.

Shri Asghar Hussain, the learned Advocate, waives service of notices on behalf of the respondents.

Civil Application (CAF) No.2168 of 2014.

Considering the facts of the case and the defence of the applicant, I am satisfied that the applicant has made out prima facie case for grant of interim order in the following terms :

There shall be stay to the execution of the impugned Award, on the applicant depositing the entire amount of the Award with the Registry of this Court.

The applicant has deposited the amount of Rs.2,50,000/- as per the order passed by this Court on 13-8-2014.

The applicant shall deposit the balance amount as

per the impugned Award with the Registry of this Court till 20-3-2015. If the balance amount is not deposited by the applicant within the stipulated time, the interim order shall stand vacated without reference to the Court.

If the balance amount is deposited by the applicant within the stipulated time, the amount shall be invested in fixed deposit in a Nationalised Bank initially for the period of three years, to be renewed every year till the decision of the appeal.

The request made on behalf of the non-applicants to withdraw the amount is rejected in the facts of the case.

The civil application is disposed in the above terms.

Civil Application (CAF) No.2759 of 2014.

As the applicant has deposited the amount of Rs.50,000/- on 11-12-2014, the civil application is rendered infructuous. It is disposed accordingly.

Pursis Stamp No.11846 of 2014.

Seen.

No orders are required.

JUDGE