

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

FIRST APPEAL NO.814 OF 2014

(M.I.D.C. Mumbai, through its Chief Executive Officer, Amravati ..vs.. Deorao Narayan Thele (dead)
through L.Rs. 1-A) Smt. Rajkanyabai Deoraoji Thele and others)

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 : 20-1-2015

Heard Ms. Ashwini Athaley, the learned Advocate holding for Shri M.M. Agnihotri for the appellant, Shri Vinay Dahat, the learned Advocate for the respondent Nos.1-A to 1-E and 2 and Shri M.A. Kadu, the learned Assistant Government Pleader for the respondent Nos.3 and 4.

Admit.

Shri Vinay Dahat, the learned Advocate, waives service of notices on behalf of the respondent Nos.1-A to 1-E and 2.

Shri M.A. Kadu, the learned Assistant Government Pleader, waives service of notices on behalf of the respondent Nos.3 and 4.

The appellant shall file private paper-book within six months from today, failing which the appeal shall stand dismissed without reference to the Court.

Civil Application (CAF) No.2859 of 2014.

There shall be stay to the execution of the

impugned order on condition that the applicant deposits the entire amount as per the impugned order till 20-4-2015, failing which the interim order shall stand vacated.

If the amount is deposited by the applicant within stipulated time, the non-applicant Nos.1-A to 1-E and 2 are permitted to withdraw 50% of the amount on furnishing solvent surety to the satisfaction of the learned Registrar (Judicial) of this Court and they are permitted to withdraw the balance 50% of the amount on filing an undertaking to the satisfaction of the learned Registrar (Judicial) to the effect that they shall redeposit the amount with the Registry of this Court along with interest as would be determined by this Court within stipulated time.

The civil application is disposed in the above terms.

JUDGE

pma