

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

**CIVIL APPLICATION NO. 1587 OF 2009
IN
FIRST APPEAL NO. 89 OF 2010**

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 the applicant.

Mr. Samrat Shinde i/b T. D. Deshmukh for the respondent.

CORAM : K. K. TATED, J.

DATED : 22/01/2016

PC.:

. Heard learned AGP for the applicant and Mr. Shinde for the Respondent.

2 This application is preferred by State of Maharashtra for stay of operation and implementation of impugned Judgment and Award dated 29.09.2007 passed by Reference Court in L.A.R. No. 219 of 1991.

3 Office note shows that as per order passed by this Court, the Applicant State of Maharashtra deposited the awarded amount in the Reference Court.

4 The respondents-claimants preferred Civil Application No. 1362 of 2015 for withdrawal of amount. That Civil Application will be decided on its

own merits.

5 Considering the submissions made by learned AGP for the applicant, averments made in civil application and as entire amount is deposited by the applicant in the Reference Court, I am satisfied that applicant has made out the case for allowing the civil application.

6 Hence, 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 operation and implementation of the Judgment and Award passed by the Reference Court in L.A.R. No. 219 of 1991 till the hearing and final disposal of the above mentioned First Appeal.”

b) The Tribunal is directed to invest the entire amount in Fixed deposits of any Nationalised Bank, initially for the period of one year and same to be continued till hearing and final disposal of the First Appeal.

c) Civil Application No. 1362 of 2015 preferred by claimants for withdrawal of the amount will be decided on its own merits.

d) Civil Application stands disposed of accordingly.

(K.K.TATED, J.)