

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1188 OF 2015
IN
WRIT PETITION NO. 4325 OF 2013

Shri Sharadchandra Ganesh Mulay, since deceased
through legal representatives-

Smt.Madhuwanti Sharad @ Sharadchandra Mulay Applicants/
and others. ... Petitioners.

V/s.

The State of Maharashtra and others. ... Respondents.

Suresh Madhukar Kamble for the petitioners.

V.S.Gokhale, AGP for respondent Nos.1 and 2.

Roopdaksha Basu i/b. the Law Point for respondent No.3.

CORAM : A.S. OKA AND C.V.BHADANG, JJ

DATED : 14th January 2016.

PC. :

Heard learned counsel appearing for the applicants/ original petitioners. Pending final disposal of the writ petition, the applicants are seeking stay to the pending Land Acquisition Reference No.158 of 1994 under section 18 of the Land Acquisition Act, 1894. The application under section 18 has been filed by the applicants on the footing that acquisition is valid. Therefore, it is for the applicants to decide whether they want to prosecute the said reference or not. If proceedings of the Reference are stayed, the State Exchequer would suffer as interest under section 28 of the said Act of 1894 will continue to run. Hence the application is rejected.

(C.V. BHADANG, J)

(A.S.OKA, J)