

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION*****CIVIL APPLICATION NO. 442 OF 2016****IN****SECOND APPEAL NO. 242 OF 2016**

**Zilla Parishad, Kolhapur,
Through the Chief Executive Officer,
Kolhapur & Anr.**

..... Applicants**VERSUS****Lahu Dadu Patil****..... Respondent**

Mr.S.R.Nargolkar for the Applicants.

Mr.A.P.Kulkarni for the Respondent.

CORAM : R.D. DHANUKA, J.**DATE : 5th DECEMBER, 2016****P.C.**

Rule. Mr.Kulkarni, learned counsel appearing for the respondent waives service.

2. By a separate order passed by this court in Second Appeal No.242 of 2016, second appeal is admitted on the substantial questions of law formulated in the said order.

3. Civil application is made absolute in terms of prayer clause (a) on the condition that the applicants deposit the balance amount before the executing court within eight weeks from today. It is made clear that the respondent would be permitted to withdraw the said amount upon furnishing security to the satisfaction of the executing court.

4. If the amount is not deposited within eight weeks from today, the interim protection granted by this court to stand vacated without further reference to court. If the amount after such deposit is made is not withdrawn by furnishing security by the respondent within eight weeks from the date of such deposit, the amount deposited by the applicant shall be invested in the fixed deposit of a nationalized bank initially for a period of three years and thereafter for further period after obtaining further orders from the executing court.
5. Civil application is disposed of in the aforesaid terms. No order as to costs.
6. The parties as well as the executing court to act on the authenticated copy of this order.

(R.D.DHANUKA, J.)