

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

CIVIL APPLICATION NO.3565/2015
IN
FIRST APPEAL (ST) NO. 32984/2014

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. A. R. Patil, AGP for the Applicant State

CORAM : K. K. TATED, J.
DATE : JANUARY 7, 2016

P.C.:

1. Heard. This Application is made by State of Maharashtra for stay of the operation and implementation of the impugned award dated 21/05/2014 passed by the Reference Court in LAR No.471/2000 (Old LAR No.66/1990) by which the Reference Court has awarded enhanced compensation of Rs.23,41,556/- in respect of the acquired land, to the Respondent.

2. Considering the submissions made by the learned AGP for the Applicant and the averments made in the Application, I am satisfied that the Applicant has made out a case for allowing the present Civil Application. At the same time, since

the money decree is under challenge, the Applicant State has to deposit the entire awarded amount, with costs, interest, if any in the Reference Court within 4 months from today.

3. Hence, the following order:

a. The operation and implementation of the impugned judgment and award dated 21/05/2014 passed by the Reference Court in LAR No.471/2000 (Old LAR No.66/1990) is stayed, till hearing and final disposal of the appeal on condition that the Applicant State to deposit the entire awarded amount with interest, cost, if any, in the Tribunal within 4 months from today, failing which the Civil Application shall stand dismissed without further reference to the court.

b. If the entire awarded amount is not deposited within stipulated time as stated hereinabove, the Respondent-claimants are entitled to execute the award as per law.

c. If the entire awarded amount is deposited within stipulated time as stated hereinabove, the Tribunal is directed to invest the same in a fixed deposit account of any Nationalized Bank, initially for a period of one year and same shall be renewed

from time to time till hearing and final disposal of the appeal.

d. Liberty granted to the claimants to prefer an appropriate Application for withdrawal of amount, if they so desire, which will be decided on its own merits

e. Civil application stands disposed off accordingly.

JUDGE