

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

932 CIVIL APPLICATION NO. 16405 OF 2016
IN FAST/26863/2016

THE MAHARASHTRA KRUSHNA VALLEY DEVELOPMENT CORPORATION,
THR ITS EXE ENGINEER, MEDIUM PROJECT
VERSUS
DASTGIR RASHID SHAIKH AND ORS

...
Advocate for Applicant : Mr. Anil M. Gaikwad
AGP for Respondents: Mr. S.R. Yadav

...

CORAM : K.K. SONAWANE, J.

DATED : 19th DECEMBER, 2017.

Order :-

1. Heard learned counsel for the applicant and learned AGP for respondent No. 1 and 3. Despite service of notice none appears for respondents No. 2.

2. Perused the application. According to applicant, exorbitant amount of compensation came to be awarded by the Reference Court in favour of original claimants. In other connected matters this Hon'ble Court granted stay to the operation, execution and implementation of impugned award on depositing 60% of the decretal amount in this court. Therefore, learned counsel prayed to pass the similar order in this matter also.

3. In view of aforesaid submissions and reasons mentioned in the application, I do not find any impediment to allow the application by imposing certain terms and conditions. Hence, application for stay stand allowed in terms of prayer clause 'B'. The execution and

operation of the impugned Judgment and Award passed by the learned Reference Court is hereby stayed, subject to condition that the applicant- Acquiring Body shall deposit the 60% of the decretal amount alongwith interest accrued thereon as awarded by the learned Reference Court within twelve (12) weeks from the date of this Order in this Court, failure to which, the stay granted to the impugned Judgment and Award in favour of applicant - Acquiring Body referred above shall stand vacated automatically without further reference to this Court with liberty to respondent/s-original claimant/s to avail the recourse of law for execution of the Award within ambit of law.

3. Accordingly, the application for stay stand disposed of in above terms.

Sd/-
[K. K. SONAWANE]
JUDGE

MTK.