

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

CIVIL APPLICATION NO. 2779 OF 2017 IN FAST/28969/2016

THE EXECUTIVE ENGINEER, LIFT IRRIGATION DIVISION, OSMANABAD
VERSUS
MATHURABAI RAMDAS @ RAMRAO ATOLE AND ANOTHER

...
Advocate for Applicant : Mr. S. D. Dhongade.
Advocate for Respondent No.1 : Mr. D. M. Hange.
Advocate for Respondent No.2 : Mr. S. J. Salgare.

...
WITH CA/2781/2017 IN FAST/30329/2016
...

CORAM : K.K. SONAWANE, J.

DATED : 08TH DECEMBER, 2017.

Order :-

Heard learned counsel for applicant- Acquiring Body and learned counsel for respondent No.1 (original claimant) as well as learned AGP for the respondent No.2 - State of Maharashtra.

2. Learned counsel for applicant- Acquiring Body submits that the stay may be granted to the execution and implementation of the Award passed by the learned Reference Court. Considering the nature of subject matter and reasons mentioned in the application, I do not find any impediment to allow the applications by imposing certain terms and conditions. Hence, applications 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 entire 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 applications for stay stand disposed of in above terms.

[K. K. SONAWANE]
JUDGE

rrd.