

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

32 CIVIL APPLICATION NO. 14592 OF 2016
IN FAST/30640/2016 WITH CA/14593/2016 IN
FAST/30640/2016 WITH CA/14594/2016 IN
FAST/30868/2016 WITH CA/14595/2016 IN
FAST/30868/2016 WITH WITH CA/14598/2016 IN
FAST/30836/2016 WITH CA/14599/2016 IN
FAST/30836/2016 WITH CA/14600/2016 IN
FAST/30839/2016 WITH CA/14601/2016 IN
FAST/30839/2016 WITH CA/14602/2016 IN
FAST/30843/2016 WITH CA/14603/2016 IN
FAST/30843/2016 WITH CA/14604/2016 IN
FAST/30853/2016 WITH CA/14605/2016 IN
FAST/30853/2016 WITH CA/14606/2016 IN
FAST/30859/2016 WITH CA/14607/2016 IN
FAST/30859/2016 WITH CA/14609/2016 IN
FAST/30864/2016 WITH CA/14612/2016 IN
FAST/30864/2016 WITH CA/14613/2016 IN
FAST/30873/2016 WITH CA/14614/2016 IN
FAST/30873/2016

THE MAHARASHTRA KRUSHNA VALLEY DEVELOPMENT
CORPORATION THR EXECUTIVE ENGINEER AND
VERSUS
PRAKASH VITHOBA BHUIKAR

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Advocate for Applicants : Mr. Gaikwad Anil M.
Mr. Deshmukh Vivekanand B. For R/sole.

CORAM : P.R.BORA, J.

DATE : 12th June, 2017.

PER COURT :

1) Heard Shri Gaikwad, learned Counsel for the acquiring body and learned Counsel appearing for the Respondent/s (original claimants). Delay

of 939 days has occurred in filing the respective first appeals by the acquiring body.

2) Learned Counsel appearing for the Respondent/s – original claimants was fair enough in submitting that the delay be condoned and the appeals be taken up for final hearing. It was the further contention of the learned counsel for the claimant/s that though the acquisition is of the year 2001 and the Reference Court has passed the Award enhancing the amount of compensation, in 2014, till today, the claimants have not received a single paise towards the enhanced compensation. The learned counsel, therefore, prayed for directing the acquiring body to deposit entire amount of compensation as awarded by the Reference Court either before the Reference Court or before this court.

3) In view of the submissions so made, the delay caused in filing the aforesaid appeals is condoned. The appeals be registered in

accordance with law.

4) In so far as request made by the learned counsel for the original claimants directing the acquiring body to deposit of the amount of compensation, the acquiring body has preferred applications seeking stay for execution of the impugned Award, wherein necessary orders can be passed. The Civil Applications for condonation of delay stand disposed of.

5) The execution of the impugned Award shall stand stayed subject to deposit of the entire amount under each of the said Awards together with interest thereon by the acquiring body in this court within 12 weeks from today. The Civil Applications for stay stand disposed of.

6) After registration of the appeals, issue notices to the respondent/s. Learned Counsel waives service for respective respondent —

original claimants.

7) Place the matters for admission on 10th
July, 2017. Call R and P.

(P.R.BORA,J.)

bdv/