

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

922 CIVIL APPLICATION NO. 1922 OF 2017
IN FIRST APPEAL NO.1921/2016

UTTAM RAJARAM PAWAR

VERSUS

THE EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION, ZILHA PARISHAD
JALNA AND ANR

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Advocate for Applicant : Mr. Swapnil Patunkar h/f J.P. legal Associates

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CORAM : K. K. SONAWANE, J.
Dated: December 21, 2017

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PER COURT :-

Heard learned counsel for applicant/original claimant. None appears for the respondent/Acquiring body. Learned AGP for respondent No. 2 and 3 present. This court under order dated 2.9.2015 granted ad-interim stay to the impugned judgment and award on condition that the respondent/Acquiring body shall deposit the entire decretal amount within a period of seven weeks. But no response is received from the respondent Acquiring Body. Hence, the learned counsel for the applicant requested to vacate the stay.

It is to be noted that This court under order dated 2.9.2015 granted ad-interim stay to the impugned judgment and award on condition that the applicants shall deposit the entire decretal amount within a period of seven weeks but there was no compliance of the order of this court by the Acquiring Body. Therefore, after lapse of stipulated period, the ad-interim stay granted by this court lost its force and died out. Therefore, no stay at all is in existence which would preclude the applicant/claimant to execute

the same before the Executing Court as per the provisions of law. Hence, the application stands allowed in terms of prayer clause (B). Applicant is at liberty to execute the award before the Executing court as per the provisions of law. Civil application stands disposed of accordingly.

(K. K. SONAWANE, J.)

grt/-