

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

933 CIVIL APPLICATION NO. 429/2017 IN FAST/34028/2016

EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION, OSMANABAD
VERSUS
GOPINATH LAXMAN MANE DIED HIS LR'S AND ANR

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Advocate for Applicant : Smt. S.D. Shelke
Advocate for respondent-ori. Claimants: Mr. G.K. Sontakke
AGP for Respondents- State : Mr. B.V. Virdhe

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WITH CA/431/2017 IN FAST/36781/2016
WITH CA/434/2017 IN FAST/34239/2016

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CORAM : K.K. SONAWANE, J.

DATED : 19th DECEMBER, 2017.

Order :-

1. Heard learned counsel for the applicant - Acquiring Body as well as learned counsel for respondents - original claimants and learned AGP for respondent No. 2 - State.
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 along with 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.

Sd/-

[K. K. SONAWANE]
JUDGE

MTK.