

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 5094 OF 2003
IN
FIRST APPEAL NO. 296 OF 2003

The State of Maharashtra .. Applicant / Appellant
vs.
Shri Anant V. Bhave .. Respondent

Mr. A. A. Palkar – AGP for Applicant / Appellant.
None for Respondent.

CORAM : M. S. SONAK, J.
DATE: 16 JANUARY 2017

P.C :

1] This Court by order dated 20 February 2004 had granted ad interim relief in terms of prayer clause (b) upon the applicant depositing the entire decretal amount within a period of twelve weeks in the trial Court.

2] Learned AGP states that there is a noting that such amount has not been deposited till date. This means that the condition subject to which ad interim relief was granted has not been complied with. Ad interim relief therefore, stands vacated.

3] It is possible that on the basis of the ad interim order, the land losers may have been deprived of compensation for last 12 years. If this be so, the applicant to pay costs of Rs.10,000/- (Rupees Ten

Thousand) to the respondents – claimants within a period of four weeks from today. If however, consequent upon the vacation of the ad interim relief, dated 20 February 2004, the respondents have already executed the award, in the year 2004-2005 or thereabouts, then the applicant need not to pay any costs.

4] Civil application is disposed of.

(M. S. SONAK, J.)

Chandka