

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION (ST) NO.35313 OF 2017
IN
FIRST APPEAL NO.903 OF 2012**

WITH

**CIVIL APPLICATION (ST) NO.35279 OF 2017
IN
FIRST APPEAL NO.906 OF 2012**

WITH

**CIVIL APPLICATION (ST) NO.35281 OF 2017
IN
FIRST APPEAL NO.907 OF 2012**

WITH

**CIVIL APPLICATION (ST) NO.35282 OF 2017
IN
FIRST APPEAL NO.908 OF 2012**

WITH

**CIVIL APPLICATION (ST) NO.35284 OF 2017
IN
FIRST APPEAL NO.918 OF 2012**

WITH

**CIVIL APPLICATION (ST) NO.35286 OF 2017
IN
FIRST APPEAL NO.917 OF 2012**

WITH

**CIVIL APPLICATION (ST) NO.35288 OF 2017
IN
FIRST APPEAL NO.916 OF 2012**

WITH

CIVIL APPLICATION (ST) NO.35291 OF 2017
IN
FIRST APPEAL NO.913 OF 2012

WITH

CIVIL APPLICATION (ST) NO.35293 OF 2017
IN
FIRST APPEAL NO.915 OF 2012

WITH

CIVIL APPLICATION (ST) NO.35295 OF 2017
IN
FIRST APPEAL NO.914 OF 2012

WITH

CIVIL APPLICATION (ST) NO.35300 OF 2017
IN
FIRST APPEAL NO.909 OF 2012

WITH

CIVIL APPLICATION (ST) NO.35305 OF 2017
IN
FIRST APPEAL NO.910 OF 2012

WITH

CIVIL APPLICATION (ST) NO.35307 OF 2017
IN
FIRST APPEAL NO.911 OF 2012

WITH

CIVIL APPLICATION (ST) NO.35311 OF 2017
IN
FIRST APPEAL NO.912 OF 2012

WITH
CIVIL APPLICATION (ST) NO.35317 OF 2017
IN
FIRST APPEAL NO.904 OF 2012

WITH
CIVIL APPLICATION (ST) NO.35320 OF 2017
IN
FIRST APPEAL NO.905 OF 2012

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr.Murlidhar L. Patil for the applicant in all the Civil Applications

Mr.A.R.Patil, A.G.P. for the State in all the Civil Applications

Mr.A.R.Shaikh i/b Mr.H.E.Palwe for the appellant in First Appeal No.919 of 2012 and for the respondent in Civil Application (ST). No.35281 of 2017

CORAM : K. K. TATED &
SARANG V. KOTWAL, JJ.
DATE : JANUARY 19, 2018

P.C.:

1. Heard the learned counsel for the parties.
2. All these Civil Applications are preferred by acquiring body for stay of the operation and implementation of the common judgment and award dated 20.12.2010 passed by learned District Judge-2, Nashik in several Land Acquisition

References.

3. The learned counsel for the acquiring body submits that some of the Respondents claimants filed Execution Application for recovery of awarded amount. Hence, there is urgency in the present matter.

4. The learned Counsel for the acquiring body submits that if stay is not granted, irreparable loss and injury will be caused to them. He submits that if entire amount is recovered by the claimants in the Execution Application, then it will be very difficult for them to recover the same, if they succeed in this court. Hence, in the interest of Justice, this Hon'ble Court be pleased to stay the operation and implementation of the common award.

5. Considering the submissions made by the learned counsel for the Applicant and the averments made in the Application, we are satisfied that the Applicant has made out a case for allowing the present Civil Applications. But at the same time, they have to deposit entire awarded amount in the Reference Court with interest and cost if any. Hence, following order is passed:

a) Operation and implementation of the common judgment and award dated 20.12.2010 passed by learned District Judge-2, Nashik is stayed pending the hearing and final disposal of First

Appeal on condition that Applicant acquiring body to deposit entire awarded amount along with interest and cost in all matters in the Reference Court within 12 weeks from today, failing which the Civil Applications shall stand dismissed without further reference to the court.

b) If amount is deposited within stipulated time as stated hereinabove, Reference Court is directed to invest the said amount in fixed deposit of any nationalised bank initially for a period of one year and same be continued till further orders.

c) If amount is deposited within stipulated time as stated hereinabove, Respondents-claimants are permitted to prefer appropriate Application for withdrawal of the amount if they so desire and that Application be decided on its own merits.

d) If amount is not deposited within stipulated time as stated hereinabove, Respondent-claimants are free to execute the award according to law.

e) All Civil applications stand disposed of accordingly.

(SARANG V. KOTWAL, J.)

(K.K.TATED, J.)