

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

927. CIVIL APPLICATION NO.4722 OF 2019

IN FAST/11193/2019

WITH CA/4724/2019 IN FAST/11213/2019

WITH CA/4726/2019 IN FAST/11216/2019

The Executive Engineer,
Patbandhare Majbutikaran Division,
Omerga and others

...Applicants

Versus

Shahaji Shivajirao Londhe

...Respondents

Mr. D.B. Pawar, Advocate for applicants

CORAM : V.L. ACHLIYA, J.

DATE : 4th April, 2019

PER COURT :

1. All these three applications are filed seeking stay to the execution of the judgment and award passed by the Reference Court.

2. In brief it is the contention of the applicants/appellants that applicants have good case to succeed in appeal. The learned Counsel submits that the Reference Court has awarded the compensation at the rate of Rs. 2013/- per are and same has been

enhanced to Rs. 13,133/- per *are* for non-irrigated land and Rs. 19700/- per *are* for irrigated land. It is submitted that enhancement of compensation is without any evidence adduced by respondent. The learned Counsel further submits that the appellants are ready to deposit the amount in terms of the award passed, within eight weeks.

3. Considering the submissions advanced, the following order is passed.

ORDER

- I) The applications are allowed in terms of prayer clause 'B' in respective applications, subject to deposit of the amount in terms of the award passed in respective appeals, within eight weeks from the date of this order. In case the appellants/applicants fail to deposit the amount within the stipulated period, the interim order stands vacated without further reference to the court.
- II) Applications stand disposed in above terms.

(V.L. ACHLIYA)
JUDGE