

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.5400 OF 2019
IN ARBA/11/2009
WITH CA/5401/2019 IN ARBA/12/2009
WITH CA/5402/2019 IN ARBA/13/2009

NASIR CHANNUBHAI SHAIKH
VERSUS
MAHARASHTRA KRISHNA VALLEY DEVELOPMENT CORPORATION

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Advocate for Applicant : Shri Naik Thigale G.K. h/f Shri Dhorde V. R.
Advocate for Respondents : Shri Rajale G.B.

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CORAM : RAVINDRA V. GHUGE, J.
Dated: July 19, 2019

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PER COURT :-

1. On 5.7.2019, I had passed the following order:-

“1 I have heard the learned advocates for the respective sides.

2 Mr. Thigale, appearing for the claimant suggests that though the law today is that the amount to be deposited must be the entire arbitral award amount, yet he would agree for deposit of another 25% of the amount, keeping in view that 50% of the amount was deposited by the acquiring body under the orders of this court dated 23.07.2010. He submits that if further 25% amount is deposited, the claimant would not make any more requests and would be ready for final hearing in the matters as and when the matters are taken up.

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3 *Mr. Rajale, appearing on behalf of the respondent
- acquiring body, seeks time to make a statement.*

4 *Stand over to 19.07.2019 in the "urgent order" category."*

2. Shri Rajale, learned Advocate submits, on instructions, from the Corporation that a further amount of 25% would be deposited in this Court. Learned Advocate for the applicants submits that if this portion of the amount is deposited, these civil applications can be disposed off and he would come with the appropriate civil applications for withdrawal of money and he would also be ready to work out the arbitration appeals finally.

3. Learned Advocate for the Corporation submits on instructions from Shri Ganesh Vijay Khaladkar, Sr. Clerk, that the Corporation would take urgent steps and deposit the said amount in this Court within eight weeks.

4. In view of the above, these civil applications are disposed off.

(RAVINDRA V. GHUGE, J.)

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