

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

924 CIVIL APPLICATION NO.612/2018 IN FAST/28482/2017 WITH
CA/1256/2018 IN FAST/28485/2017 WITH CA/2889/2018 IN
FAST/28479/2017 WITH CA/3331/2018 IN FAST/30759/2017

THE EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION, JALNA
AND OTHERS

VERSUS

NAMDEV DAGDU PAWAR (DIED), THROUGH L.RS. - VISHNU AND
OTHERS

...

Advocate for Applicants : Shri Pulkundwar Santosh B.

Advocate for respondents – claimants: Shri Swapnil S.
Patunkar

CORAM: V.L. ACHLIYA, J.

DATE: 03.04.2019

PER COURT :

1] Heard learned counsel for the applicants /
appellants.

2] Issue notice to respondents.

3] Shri Swapnil S. Patankar, learned counsel waives
service for the respondents – claimants.

4] All these applications are filed seeking stay to the
execution of judgments and orders passed by the Reference
Court thereby enhancing the compensation in the reference
proceedings filed. In brief, it is the contention of
learned counsel for the applicants / appellants that the
appellants have a good case to succeed in the appeals.
The Special Land Acquisition Officer has awarded the

- 2 -

compensation at the rate of Rs.420/- per Aare and the same has been enhanced by the Reference Court at the rate of Rs.2450/- per Aare without sufficient evidence.

5] Learned counsel for the applicants, on instructions from the acquiring body, makes a statement that the amount in terms of the awards shall be deposited within twelve weeks from today.

6] Learned counsel for the respondents – claimants submits that the claimants have no objection to stay the execution of awards provided the amount is deposited within eight weeks.

7] Considering the submissions advanced, the applications are allowed in terms of prayer clause (B) subject to deposit of the amounts in terms of the awards passed within twelve weeks from the date of this order. Failure to deposit the amounts within the stipulated period, the interim stay granted shall stand vacated with immediate effect.

8] The applications are disposed of in above terms.

(V.L. ACHLIYA, J.)