

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

902 CIVIL APPLICATION NO. 13259/2019
IN FAST/34931

THE EX. ENGINEER, MINOR IRRIGATION DIVISION, JALGAON AND ANR
VERSUS
HIMMAT DEVCHAND SHINDE AND ORS

...

Advocate for Applicants : Mr. Chillarge Subhash S.
AGP for Respondents : Mr. S.P. Deshmukh.

CORAM : MANGESH S. PATIL, JJ.

DATE : 13/11/2019

PER COURT :

Heard the learned advocate for the applicant/appellant which is an acquiring body and perused the impugned judgment and award.

2. Since the impugned order directs interest to be paid under Section 28 of the Land Acquisition Act from the date of the notification under Section 4 of the Land Acquisition Act, there shall be ad-interim relief in the form of stay to the execution and operation of direction No. 6 in the operative part.

3. The learned advocate for the applicant further submits that it is ready to deposit the entire decretal amount together with interest except the one directed to be paid under Section 28 of the Land Acquisition Act from the date of the notification and further

undertakes to deposit such interest under Section 28 of the Land Acquisition Act from the date of the Award within eight weeks. Subject to such undertaking there shall be stay to the execution and operation of the impugned judgment and Award.

4. The Civil Application is disposed of.

(MANGESH S. PATIL, J.)

mkd