

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

**CIVIL APPLICATION NO. 2034 OF 2019
IN
FIRST APPEAL NO. 1110 OF 2019**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
	Prashant Chawan with Meet Vora i/b Navdeep Vora & Associates for the Applicant.

**CORAM: K.K.TATED, J.
DATED : OCTOBER 15, 2019**

P.C.

Today the matter is shown on board pursuant to the praecipe dated 14/10/2019 filed by the advocate for the Applicant for speaking to minutes of order dated 03/10/2019 in Civil Application No. 2034/2019. On first page, in para. 2, in second line instead of Insurance Co. it should be M.I.D.C. Rest of the order shall remain as it is.

2. Corrected order reads thus:

***"IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

***Civil Application NO.2034/2019
in
First Appeal NO.1110/2019***

<i>Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders</i>	<i>Court's or Judge's orders.</i>
	<i>Mr. Prashant Chavan I/b. M/s. Chaitali Kandare I/b. Navdeep Vora Associates for the Applicant</i> <i>Mr. Sagar Kursija I/b. T. D. Deshmukh for Respondent Nos.1 and 2, 3A to 5C, 4 to 12.</i>

CORAM: K.K.TATED, J.
DATED : OCTOBER 3, 2019

P.C.

1 Pursuant to the praecipe filed by the learned counsel for the Applicant, the matter is taken on production board.

2 By this Civil Application the Applicant M.I.D.C. is seeking stay to the operation and implementation of the judgment and award dated 06.02.2018 passed by the District Judge - 18, Pune in LAR No.142/2004.

3 The learned counsel for the Applicant submits that this court, by order dated 13.08.2019 granted ad-interim relief on condition that the Applicant to deposit the entire awarded

amount with interest in the Reference Court on or before 03.09.2019. He submits that they have deposited the same on 11.09.2019. Hence, this Hon'ble Court be pleased to extend the time for compliance of order dated 13.08.2019.

4 Considering the submissions made by the learned counsel for the Applicant and as the entire awarded amount is deposited in the Reference Court on 11.09.2019, following order is passed:

a. Time to comply with order dated 13.08.2019 shall be treated to be extended till 11.09.2019.

b. The Civil Application is allowed in terms of prayer clause (a) which reads thus:

“(a) pending the hearing and final disposal of this First Appeal, operation, implementation and execution of the impugned judgment and decree dated 06.02.2018, passed by the Ld. District Judge - 18, Pune in Land Acquisition Reference No.142 of 2004 be stayed.”

c. The Tribunal is directed to invest the award amount in a fixed deposit account of any Nationalized Bank, initially for a period of one year and same shall be renewed from time to time till hearing and final disposal of the appeal.

d. Liberty granted to the claimants to prefer an appropriate Application for withdrawal of amount, if they so desire, which will be decided on its own merits.

e. The Civil Application stands disposed of accordingly.

f. No order as to costs.”

(K.K.TATED, J.)