

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

**CIVIL APPLICATION NO.1394 OF 2019
IN
FIRST APPEAL (ST.) NO.28365 OF 2018**

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr.V.S.Tadake i/b Mr.D.D.Shinde for the
applicant

**CORAM : K. K. TATED, J
DATE : APRIL 23, 2019**

P.C.:

. Heard.

2 By this Civil Application, Applicant is seeking stay of the operation and implementation of the impugned judgment and award dated 5.10.2017 passed by Reference Court in L.A.R.No.82 of 2008.

3 The learned counsel for the Applicant submits that he received instruction from his client that they are ready and willing to

deposit entire awarded amount in the Reference Court within eight weeks from today. Statement is accepted.

4 Considering the submissions made by the learned counsel for the Applicant, the averments made in the Application and as Applicants are ready and willing to deposit entire awarded amount including interest in the Reference Court within 8 weeks from today, I am satisfied that the Applicant has made out a case for allowing the present Civil Application. Hence, the following order:

A) Civil Application is allowed in terms of prayer clause (a) on condition that Applicant to deposit entire awarded amount along with interest in the Reference Court or before 29.6.2019 failing which the Civil Application shall stand dismissed without further reference to the court. Prayer clause (a) reads thus:

"(a) Pending the hearing and final disposal of above First Appeal, an operation, execution and implementation of the impugned Judgment and Award dated 05.10.2017 passed by the Civil Judge, Sr.Division, Sangli at Sangli in Land Acquisition Reference No.82/2008, may kindly be stayed."

B) If amount is deposited within stipulated time as stated hereinabove, Reference Court is directed to invest entire amount in fixed deposit of any nationalised bank initially for a period of one year and same to be continued till further orders.

D) Liberty granted to the Claimant to make appropriate Application for withdrawal of amount if they so desire, and that Application be decided on its own merits.

E) Civil application stands disposed off accordingly.

(K.K.TATED, J.)