

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

**CIVIL APPLICATION NO.4019 OF 2017
IN
FIRST APPEAL (STAMP) NO.1164 OF 2016
WITH
CIVIL APPLICATION NO.4020 OF 2017
IN
FIRST APPEAL (STAMP) NO.1164 OF 2016**

The State of MaharashtraApplicant
V/s.
Krishna Ramchandra Bhagat & Koli (Deceased)
Through LRs. Jaywant Krishna Bhagat & Ors.Respondents

Ms. Anamika Malhotra, AGP for the applicant/State.
Ms. Deepa Punde i/b Mr. Sachin S. Punde, advocate for the
respondent Nos. 1 to 5.

**CORAM: SMT. ANUJA PRABHUDESSAI, J.
DATED : 20th AUGUST, 2019.**

P.C.:

ORDER IN CIVIL APPLICATION NO.4019 OF 2017 :-

The Applicant herein has sought to condone the delay of 220 days in filing the first appeal challenging the judgment and award dtd. 07/02/2015 passed by the learned 2nd Joint Civil Judge, Senior Division, Alibag-Raigad, in L.A.R. No.610 of 2000.

2. The learned counsel for the respondents waives services on behalf of the respondents and has given no objection to condone the delay.

3. In the light of the said statement and reasons stated in the application, which in my considered view constitute sufficient cause, the application is allowed. The delay is condoned.

4. Civil Application is disposed of.

ORDER IN CIVIL APPLICATION NO.4020 OF 2017 :-

5. By this application, the applicant has sought to stay the execution and implementation of the impugned judgment and award dtd. 07/02/2015 passed by the learned 2nd Joint Civil Judge, Senior Division, Alibag-Raigad, in L.A.R. No.610 of 2000.

6. The learned AGP for the applicant states that the entire compensation alongwith the interest accrued thereon and all other statutory benefits will be deposited before the reference Court within a period of three weeks. Statement is accepted.

7. In the light of the said statement, execution and implementation of the impugned judgment and award is stayed till the next date of hearing. Stand over to **11/09/2019**.

8. It is made clear that in the event the applicant fails to deposit the said amount before the court within the stipulated period, the ad-interim relief shall stand vacated without further reference to this Court.

9. Stand over to 11/09/2019.

ORDER IN FIRST APPEAL (STAMP) NO.1164 OF 2016 :-

10. The appeal be registered subject to removal of office objections, if any. Ms Deepa Punde, the learned counsel waives service of notice on behalf of the respondents. The appeal be listed for admission on **11/09/2019**.

(SMT. ANUJA PRABHUDESSAI, J.)