

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

**CIVIL APPLICATION NO.548 OF 2016
IN
FIRST APPEAL NO.1065 OF 2017**

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.Yogesh Dabake, A.G.P. for the applicants

Ms.Deepa Punde i/b Mr.S.S.Punde for the respondent nos.1/1 to 1/3 and 2/1 to 2/3

**CORAM : K. K. TATED, J
DATE : MARCH 27, 2019**

P.C.:

. Heard.

2 By this Civil Application Applicant is seeking stay of the operation and implementation of the judgment and award dated 29.12.2014 passed by learned 2nd Joint Civil Judge, Senior Division, Alibag Dist. Raigad in L.A.R.No.640 of 2000.

3 The learned counsel for the Respondent

original Claimant submits that though this court by order dated 7.8.2017 directed Applicant to deposit entire awarded amount within 8 weeks in Trial Court, they failed and neglected to do so.

4 Considering the submissions made by the learned A.G.P. for the Applicant and the earlier order dated 7.8.2017, I am satisfied that the Applicant has made out a case for allowing the Civil Application. Hence, following order is passed:

A) Civil Application is allowed in terms of prayer clause (b) on the condition that Applicant to deposit entire awarded amount in the Tribunal. Prayer clause (b) which reads thus:

"b) that this Hon'ble Court be pleased to stay the operation and/or execution and/or implementation of the Judgment and Award dated 29.12.2014 passed by the Learned Civil Judge, Senior Division, Alibag, District Raigad in L.A.R. No.640 of 2000, till the hearing and final disposal of the above mentioned First Appeal."

B) If amount is not deposited on or before 15.6.2019 Civil Application shall stand dismissed without referring back to the court.

C) If amount is deposited within stipulated time as stated hereinabove reference court is directed to invest the said amount in fixed deposit of any nationalized bank initially for a period of one year and same be continued till further orders.

D) Liberty granted to the Respondent original Claimant if they so desire to prefer appropriate application for withdrawal of the amount and that be decided on its own merits.

E) Civil Application stands disposed of accordingly.

(K.K.TATED, J.)