

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

Civil Application No.1857/2017  
in  
First Appeal No.621/2017

|                                                                                                           |                                                                                                                  |
|-----------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|
| Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders | Court's or Judge's orders.                                                                                       |
|                                                                                                           | Mrs. Tanaya Goswami, AGP for the Applicant<br>Mr. Rajdeep Gude I/b. Khandeparkar & Associates for the Respondent |

**CORAM: K.K.TATED, J.**  
**DATED : AUGUST 21, 2019**

**P.C.**

1 Heard. By this Civil Application, the Applicant is seeking stay to the operation and implementation of the impugned judgment and award dated 27.09.2012 passed by the Civil Judge, Senior Division, Sindhudurg, Oros in LAR No.66/2003.

2 It is to be noted that in the present proceedings this court by order dated 11.07.2017 granted ad-interim relief in favour of the Applicant on condition of depositing the entire awarded amount within 16 weeks from the date of order.

3 The learned counsel for the Respondent submits that in fact the Applicant has deposited the entire awarded amount of Rs.4,83,243/- in the Trial Court on 31.07.2014 which was withdrawn by the Respondent-Claimant. In view of subsequent development i.e. before granting any interim relief, the claimant has withdrawn the amount deposited by the Appellant, nothing survives in the Civil Application.

4 Hence, following order is passed:

- a. If any security is granted by Respondent No.1, at the time of withdrawing the compensation, same shall continue till hearing and final disposal of the First Appeal.
- b. The Civil Application stands disposed of accordingly.
- c. No order as to costs.

**(K.K.TATED, J.)**