

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION No. 2194 OF 2008
IN
FIRST APPEAL No. 869 OF 2011

Maharashtra Industrial Development Corporation ... Applicant

V/s.

Shri Kisan Namdeo Shiinde and Anr. ... Respondents

Ms. Shyamali Gadre a/w. Pranav Thouser i/b. Little & Co. for Applicant-MIDC
Mr. A.R. Patil -AGP for Respondent No.2

CORAM: K.K. TATED, J.

DATED : JUNE 4, 2019

P.C. :

1. Heard learned counsel for the parties.
2. By this civil application, the Applicant is seeking stay of the operation and implementation of the order dated 31st March, 2006 passed by the Second Ad-hoc District Judge, Pandharpur in LAR No. 29 of 2001 holding that the Respondents/ Original Claimants are entitled for additional compensation in respect of acquired land.
3. Learned counsel appearing for the Applicant submits that the entire amount is already deposited in the Trial Court. Statement is accepted.

4. Considering the submissions made by learned counsel for the Applicant and the averments made in the civil application and as the entire amount has been deposited by the Applicant in the Reference Court, I am satisfied that the Applicant has made out a case for allowing the Civil Application.

5. Hence, following Order:

ORDER

(A) Pending the hearing and final disposal of the First Appeal, the operation and implementation of the impugned judgment and award dated 31st March, 2006 passed by the Reference Court in LAR No. 29 of 2001 is stayed

(B) The Reference Court is directed to invest the amount in the fixed deposit of any nationalized bank initially for a period of one year and same to be continued till further orders.

(C) Liberty is granted to the Respondents/ Original Claimants, if they so desire, to prefer an application for withdrawal of the amount and that application to be decided on its own merits.

(D) Civil Application stands disposed of accordingly.

(E) No order as to costs.

(K. K. TATED, J.)