

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

CIVIL APPLICATION NO. 3062 OF 2014

IN

FIRST APPEAL NO. 1099 OF 2014

Maharashtra Krishna Valley Development
Corporation

....Applicant

V/s.

Duryodhan Natha Yadav and ors.

....Respondents

Mr. D.D. Shinde for the applicant.

Mr. Mahindra B. Deshmukh for respondent no.1.

Mr. Yogesh Y. Dabke, AGP for respondent nos.2 to 4.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED : 27th AUGUST, 2019

P.C.:-

. By this application, the applicant has sought to stay the execution and implementation of the impugned judgment and award dated 06/02/2014 passed by the learned Civil Judge, Senior Division, Sangli in Land Acquisition Case No.01/2008.

2. The learned counsel for the appellant/applicant states that the entire amount as per the impugned judgment and award has been deposited before the Civil Judge, Senior Division, Sangli. Statement is accepted.

3. In the light of said statement, execution of the impugned judgment and award dated 06/02/2014 is stayed till the disposal of

the appeal.

4. The learned counsel for respondent no.1 states that by order dated 23/08/2016, the respondent no.1 was permitted to withdraw 50% compensation of Rs.5,49,527/- along with accrued interest subject to furnishing an undertaking and balance 50% of the compensation subject to furnishing bank guarantee in the Trial Court. The learned counsel for the appellant states that the respondent no.1 has not been able to furnish bank guarantee in respect of 50% of compensation. He submits that despite the order, he is not allowed to withdraw 50% of the compensation with proportionate interest on furnishing an undertaking before the Trial Court.

5. The learned Civil Judge, Senior Division, Sangli to comply with the order dated 23/08/2016 and allow the respondent no.1 to withdraw 50% of compensation with proportionate interest on furnishing an undertaking.

6. Civil Application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)