

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

**CIVIL APPLICATION NO.3459 OF 2016
IN
FIRST APPEAL (ST.) NO.15579 OF 2016**

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 applicant

Mr.S.A.Ghaisas for the respondent

**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 impugned judgment and award dated 30.10.2015 passed by Reference Court in L.A.R. No.770 of 2000.

3 The learned A.G.P. for the Applicant submits that as per order dated 03.04.2017. passed by this court they already deposited

entire awarded amount in the Reference Court, Statement is accepted.

4 The learned counsel for the Respondent Claimant submits that they also preferred Civil Application No.4292 of 2018 for withdrawal of the amount. He submits that that Application be decided on its own merits.

5 Considering the submissions made by the learned A.G.P. for the Applicant and as entire amount is deposited in Reference Court within time, I am satisfied that the Applicant has made out a case for allowing the present Civil Application. Hence, following order:

A) Civil Application is allowed in terms of prayer clause (b) which reads thus

"b) that this Hon'ble Court be pleased to stay the operation, execution and implementation of the Judgment and Award dated 30.10.2015 passed by the Learned Joint Civil Judge, Senior Division, Alibag, in L.A.R. No.770 of 2000 (Old L.A.R. No.417/1990), till the hearing and final disposal of the above mentioned First Appeal."

B) Reference Court is directed to invest the entire amount in fixed deposit of any

nationalised bank initially for a period of one year and same be continued till further orders.

C) Civil Application No.4292 of 2018 preferred by Claimant be decided on its own merits.

D) Civil application stands disposed off accordingly.

E) No order as to costs.

(K.K.TATED, J.)