

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

**CIVIL APPLICATION NO. 5267 OF 2001
IN
FIRST APPEAL NO. 687 OF 2001**

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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Y. Y. Dabke, AGP for Applicant.

M. S. Mulla i/b I. M. Khairdi for Respondent.

CORAM : K. K. TATED, J

DATE : OCTOBER 22, 2019.

P.C.:

Heard.

2. By this Civil Application, the Applicant is seeking stay of the Judgment and award passed by the 4th Joint Civil Judge, Senior Division, Solapur on 13/12/1994 in Reference No. 584/1989.

3. The Learned AGP Mr. Dabke submits that, they have already deposited the entire awarded amount with interest in the Tribunal. To that effect there is noting on Farad. The same is accepted. He further submits that pending the hearing and final disposal of the First Appeal, this Hon'ble Court be pleased to stay the operation and implementation of the

impugned Judgment and award passed by the Reference Court. He submits that if the entire amount is withdrawn by the Claimants, then nothing will survive in the present proceeding.

4. Considering the submission made by the Learned AGP for the Applicant and the averments made in Civil Application, I am satisfied that the Applicant has made out a case for 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 and implementation of the Judgment and award passed by the 4th Joint Civil Judge, Senior Division, Solapur on 13/12/1994 in above mentioned LAR No. 584 of 1989 till the hearing and final disposal of the above mentioned First Appeal.”

b) The Tribunal is directed to invest the entire amount in fixed deposit of any Nationalized bank, initially for a period of one year and same to be continued till further order.

c) Liberty is granted to the Respondent-Claimant, if he so desires, to prefer an appropriate application for withdrawal of amount and that to be decided on its own merits.

d) Civil Application stands disposed of accordingly. No order as to costs.

(K.K.TATED, J.)