

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

**FIRST APPEAL NO.1810 OF 2005
WITH
CIVIL APPLICATION NO.4265 OF 2005
IN
FIRST APPEAL NO.1810 OF 2005**

The State of Maharashtra ... Appellant
V/s.
Shri Salam Yusuf Mukari
Through his Power of Attorney Holder
Abdul Majid Mohamad Yusuf Mukari ... Respondent

Mr.A.R.Patil, AGP for the Appellant.
None for the Respondent.

**CORAM : AKIL KURESHI AND
S.J.KATHAWALLA, JJ.
DATE : JUNE 28, 2019.**

P.C.:-

1. The appeal is filed by the State impugning the judgment and order dated 21st March, 2005 passed by the Civil Judge, Senior Division, Alibag, under the Land Acquisition Act. The appeal is admitted on 26th September, 2005. We are informed that the State has deposited the entire amount with interest and costs aggregating to Rs.58,15,612/-. The Claimant has

withdrawn 50% of the said amount against a bank guarantee of a nationalised bank. The balance 50% is deposited in Fixed Deposits.

2. In view of the above, the Civil Application is allowed in terms of prayer clause (b), which is reproduced hereunder:-

“That this Hon’ble Court be pleased to stay the operation and implementation of the Judgment and Award passed by the learned Civil Judge, Senior Division, Alibag on 21.03.2005 in L.A.R. No.708 of 2000 till the hearing and final disposal of the above mentioned First Appeal.”

Civil Application is accordingly disposed off.

(S.J.KATHAWALLA, J.)

(AKIL KURESHI, J.)

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