

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

**CIVIL APPLICATION NO. 3564 OF 2018
IN
FIRST APPEAL NO. 1061 OF 2018**

The General Manager, Ordinance Factory Ambernath Taluka Ambernath	...	Applicant
V/s. Mrs.Sadralla Dhanlaxmi Nakulu	...	Respondent

- Ms.Jyotsna N. Pandhi for the Applicant-Appellant.
- Mr.Indrajeet Kulkarni for the Respondent.

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 23rd JANUARY, 2019.

P.C. :

1] Learned counsel for the Applicant-Appellant submits that the principal amount of compensation is deposited in the Court and only interest amount is remained to be deposited.

2] In view thereof, the stay is granted to the execution of the award till decision of the appeal, subject to condition of the Applicant-Appellant's depositing the interest amount within the period of four weeks from today.

3] In case of failure of the Applicant-Appellant to deposit the interest amount within stipulated period, the stay shall automatically

stand vacated without further reference to this Court.

4] Learned counsel for the Respondent-Claimant seeks withdrawal of the entire amount deposited in the Court.

5] Learned counsel for the Applicant-Appellant opposes to withdrawal of the entire amount.

6] However, considering the requirement of the Respondent-Claimant, she is permitted to withdraw 50% of the amount deposited in the Court, subject to filing of usual undertaking.

7] The Civil Application stands disposed off in above terms.

[DR.SHALINI PHANSALKAR-JOSHI, J.]