

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
Civil Application No. 4278/2014

in

First Appeal No. 1469/2014

Office Notes, Office
Memoranda of Coram,
appearances, Court's
orders or directions
and Registrar's orders

Court's or Judge's orders.

Mr. Yogesh Dabke, AGP for the Applicant

CORAM : K.K.TATED, J.

DATED : APRIL 25, 2019

P.C.

Heard. The learned AGP for the Applicant submits that by this Civil Application they are seeking stay to the operation and implementation of the impugned judgment and award dated 21.02.2011 passed by the Reference Court in LAR No.17/1995 awarding the enhanced compensation.

2 The learned counsel for the Applicant submits that they are ready and willing to deposit the entire decretal amount within 12 weeks from today. The statement is accepted.

3 Considering the submissions made by the learned AGP and the impugned judgment and award, I am satisfied that the Applicant has made out a case for allowing the present Civil Application.

4 Hence, the following order:

a) The Civil Application is allowed in terms of prayer clause (b) which is reproduced below, subject to the Applicant depositing the entire awarded amount in the tribunal within 12 weeks from today, failing which the Civil Application shall stand dismissed without further reference to the court.

“(b) That this Hon'ble Court be pleased to stay the operation and implementation of the judgment and award dated 21.02.2011 passed by the Reference Court in LAR No.17/1995 till hearing and final disposal of above mentioned first appeal.”

b) The Reference Court is directed to invest the awarded amount in a fixed deposit account of any Nationalized Bank, initially for a period of one year and same shall be renewed from time to time till further orders.

c) Liberty granted to the claimants to prefer an appropriate Application for withdrawal of amount, if they so desire, which will be decided on its own merits.

d) Civil application stands disposed off accordingly.

(K.K.TATED, J.)