

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

**CIVIL APPLICATION NO.4390 OF 2016
IN
FIRST APPEAL NO.1502 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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Mrf.Yogesh Dabake, A.G.P. for the applicant

**CORAM : K. K. TATED, J
DATE : APRIL 1,2019**

P.C.:

. Heard.

2 By this Civil Application Applicant original defendant is seeking stay of the operation and implementation of the impugned judgment and award dated 8.10.2012 passed by Reference Court in L.A.R.No.67 of 2003.

3 Considering the submissions made by the learned counsel for the Applicant and the impugned judgment I am satisfied that the Applicant has made out a case for allowing

Civil Application on condition that Applicant to deposit entire awarded amount along with interest in the Reference Court on or before 31.07.2019. Hence, following order is passed:

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 08.10.2012 passed by the Learned 2nd Joint Civil Judge, Senior Division, Nasik in L.A.R. No.67 of 2003, till the hearing and final disposal of the above mentioned First Appeal."

B) Applicant to deposit entire awarded amount along with interest in Reference Court on or before 31.07.2019 failing which Civil Application shall stand dismissed without referring back to the court.

C) If amount is deposited within stipulated time as stated hereinabove, Reference Court is directed to invest entire amount in fixed deposit of any nationalized bank initially for a period of one year and same be continued till

further orders.

D) Liberty granted to the Respondent original Claimant if they so desire to prefer appropriate application for withdrawal of the amount and that be decided on its own merits.

E) Civil Application stands disposed of accordingly.

(K.K.TATED, J.)