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

**CIVIL APPLICATION NO.118 OF 2019
IN
FIRST APPEAL (ST) NO.33591 OF 2018**

The Executive Engineer,
Pune Central division II nd

... Applicant.

V/s.

Smt. Deepali Rohidas Kamble
and ors

... Respondents

Mr. P. M. Palshikar, i/by Atul S. Singh, for the
applicant.

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 15th JANUARY, 2019.

P.C. :

1] Heard learned counsel for the applicant.

2] Learned counsel for the appellant submits that appellant has already deposited an amount of Rs.3,33,707/- in the Court, which is the amount of his appellant's share and hence the execution of decree be stayed. However, considering that the liability imposed on the appellant and respondent No.4 is joint and several, stay cannot be granted to the execution of the order, without payment of entire amount of compensation which is to the tune of Rs.5,33,925/- only.

3] Learned counsel for the appellant submits that the remaining amount will be deposited within four weeks. Hence, stay is

granted to the execution of the award subject to appellant's depositing remaining amount of compensation. In case of failure to deposit the said amount, stay to stand vacated without further reference to this Court.

4] Application is disposed off.

[DR.SHALINI PHANSALKAR-JOSHI, J.]