

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

FIRST APPEAL NO. 350/2017

(BHAGWANDAS VALLABHADAS ATAL **VERSUS** STATE OF MAHARASHTRA, THE COLLECTOR,
YAVATMAL & OTHERS)

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

Court's or Judge's orders

Shri A.B. Nakshane, counsel for appellant.
Ms Harshada Prabhu, A.G.P. For R-1 & 2.
Shri P.B. Patil, counsel for R-3 & 4/X-objectors.

CORAM : A.S. CHANDURKAR, J.

DATE : JANUARY 08, 2019.

X-OBJECTION ST. NO.26062/2018.

Heard. **ADMIT.**

Learned counsel Shri A.B. Nakshane waives notice of hearing on behalf of respondent no.1.

Learned Assistant Government Pleader Ms Harshada Prabhu waives notice of hearing on behalf of respondent nos.2 and 3.

C.A.O. NO. 2318/2018.

The acquiring body seeks stay to the execution of the impugned award as passed by the reference Court.

In the application it is stated that the enhancement granted is on a higher side and is not supported by evidence.

According to the learned counsel for the claimant, the amount as granted is on a lower side and hence by filing an appeal, enhancement has been sought.

Prima-facie, considering the evidence on record, the execution of the impugned award shall remain stayed subject to the acquiring body depositing 75% of the amount of compensation as granted within a period of eight weeks from today.

Civil application stands disposed of in aforesaid terms.

JUDGE

APTE