

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CIVIL APPLICATION NO. 6336 OF 2018 IN FA/2702/2019

THE M.K.V.D.C., THR THE EX. ENGINEER, IRRI. PROJECT
STRENGTHENING NOW OSMANABAD M.P.D. AND ORS.

VERSUS

VIDYADHAR @ DATTATRAYA PARTAPPA WALE

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Advocate for Applicant No.1 : Mr. Anil M. Gaikwad
Advocate for Respondents-claimants : Mr. A. B. Kale

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WITH CA/6338/2018 IN FA/2703/2019

WITH CA/6340/2018 IN FA/2704/2019 WITH CA/6342/2018 IN FA/2705/2019

WITH CA/6344/2018 IN FA/2706/2019 WITH CA/6346/2018 IN FA/2707/2019

WITH CA/6348/2018 IN FA/2708/2019 WITH CA/6350/2018 IN FA/2709/2019

WITH CA/6352/2018 IN FA/2710/2019 WITH CA/6354/2018 IN FA/2711/2019

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CORAM : K.K. SONAWANE, J.

DATED : 28th JANUARY, 2020.

ORDER :-

This Court under Order dated 2nd August, 2019, granted ad-interim relief of stay to the execution, implementation and operation of the impugned Judgment and Award passed by learned Reference Court subject to condition that the appellant-Acquiring Body shall deposit entire decretal amount in this Court on or before 13th January, 2020. It was also stipulated that in case the appellant-Acquiring Body failed to deposit the amount, there would not be any further stay and time to deposit the amount will not be extended. Learned counsel for the respondents-claimants contended that the appellant-Acquiring Body did not comply with the order for depositing the amount.

2. In view of aforesaid circumstance of not depositing amount and as there was no stay remained in force to prohibit the claimants for execution of the impugned Award passed by the learned Reference Court, there is no propriety to keep the present applications alive on board. Hence, the Civil Applications stand dismissed. The respondents-claimants are at liberty to execute the Award as per provision of law before the Executing Court.

3. Learned Registrar (Judicial) to communicate the Reference Court that there is no stay in existence and proceed further for execution of the Award in the proceedings, if any, filed on behalf of claimants.

Sd./-

**[K. K. SONAWANE]
JUDGE**