

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

**932 CIVIL APPLICATION NO.2926 Of 2020
IN FAST/30017/2019**

THE EX. ENGINEER, M.I.W. JALGAON AND ORS
VERSUS
SHANTARAM KONDU PATIL

**WITH CA/2927/2020 IN FAST/30030/2019
WITH CA/2929/2020 IN FAST/30014/2019
WITH CA/2931/2020 IN FAST/30006/2019
WITH CA/2932/2020 IN FAST/30022/2019
WITH CA/2933/2020 IN FAST/30026/2019
WITH CA/2934/2020 IN FAST/30001/2019
WITH CA/2935/2020 IN FAST/30618/2019
WITH CA/2936/2020 IN FAST/30615/2019**

Advocate for Applicant-Acquiring Body : Mr.Suresh D.Dhongade
Advocate for Respondents-claimants : Mr.V.B.Patil

CORAM : K.K.SONAWANE, J.

DATE: 3rd March, 2020

PER COURT:-

1. Heard learned counsel for the applicant-Acquiring Body and learned counsel for the respondents-original claimants.
2. Mr.V.B.Patil, learned counsel for the respondents-claimants submits that in case extension is granted to the interim relief of stay to the execution and implementation of the impugned Judgment and award, then it would amount to review of earlier order passed by this Court dated 27.09.2019. This Court has categorically put the condition that there would not be any extension of stay granted by way of interim relief in case the amount is not deposited.

3. Mr.S.D.Dhongade, learned counsel for the applicant-Acquiring Body submits that 1/4th amount of compensation has already been deposited in this Court and a proposal for budgetary allocation for rest of the compensation amount is under consideration of Government of Maharashtra. He seeks time to deposit the compensation amount for compliance of earlier order passed by this Court.

4. Be that as it may, the stay granted by this Court under order dated 27.09.2019 was allowed to remain in force uptill 10.02.2020 and therefore, it is evident that there would not be any stay nor the time will be extended.

5. In view of strong objection raised on behalf of Mr.Patil, learned counsel for the respondents-claimants, interim relief of stay would not be made continued at the instance of applicant-Acquiring Body. In case budgetary allocation of compensation amount is sanctioned by the Government of Maharashtra, the applicant-Acquiring Body has an liberty to deposit the same in this Court. Meanwhile, as there would not be any prohibitory order for execution of award, the respondents-claimants are at liberty to execute the impugned award before the learned Executing Court.

6. Accordingly, applications stand disposed of.

(K.K.SONAWANE)
JUDGE

SPT