

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

CIVIL APPLICATION NO.7102 OF 2019 IN FAST/34257/2018

THE EX. DIRECTOR AND EX. ENGINEER, LATUR MEDIUM PROJECT
DIVISION AT LATUR UNDER THE GMIDC AURANGABAD
VERSUS

RAJU HARISHCHANDRA SIRSAT AND ANR

Advocate for Applicants : Mr. Anand Chawre
Respondent No.1-original claimant : Served
AGP for Respondent No.2 : Mr. R. B. Bagul

CORAM : K.K. SONAWANE, J.

DATED : 04th FEBRUARY, 2020.

ORDER :-

Heard learned counsel for the applicant – Acquiring Body. Despite service of notice, no one else appeared on behalf of respondent-original claimant. Perused the application and other relevant documents placed on record.

2. This Court under Order dated 19th July, 2019, granted ad-interim relief of stay to the execution, implementation and operation of the impugned Award passed by the learned Reference Court subject to condition that the appellant-Acquiring Body shall deposit entire decretal amount in this Court on or before 18th December, 2019. 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. Record shows that there is no response received from the applicant-Acquiring Body for depositing the entire decretal amount in this Court. In such circumstances, the order of interim relief of stay passed by this Court lost its force and died out. Therefore, there is no propriety to keep alive the present application. Hence, Civil Application for stay stands dismissed and the liberty is granted to the respondent-original claimant to pursue the matter before the Executing/Reference Court for recovery of compensation amount as per provision of law. Learned Registrar (Judicial) to inform the concerned Executing/Reference Court that there is no stay in existence and proceed further for execution of the Award in the proceeding, if any, filed on behalf of claimant.

Sd./-
[K. K. SONAWANE]
JUDGE