

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

**3 CIVIL APPLICATION NO.1140 OF 2021
IN FIRST APPEAL (STAMP) NO.1970 OF 2021**

**THE EXECUTIVE ENGINEER, KRISHNA VALLEY
DEVELOPMENT CO., OMERGA DIVISION AND OTHERS
VERSUS**

**GUNDAPPA GURLINGAPPA MALGE (DIED) THR LRS.
MOULABAI GUNDAPPA MALGE AND OTHERS**

WITH

**CIVIL APPLICATION NO.1143 OF 2021
IN FIRST APPEAL (STAMP) NO.1813 OF 2021**

**THE EXECUTIVE ENGINEER, KRISHNA VALLEY
DEVELOPMENT CO., OMERGA DIVISION AND OTHERS
VERSUS**

MALKAPPA NAGAPPA JAMADAR

WITH

**CIVIL APPLICATION NO.1145 OF 2021
IN FIRST APPEAL (STAMP) NO.1945 OF 2021**

**THE EXECUTIVE ENGINEER, KRISHNA VALLEY
DEVELOPMENT CO., OMERGA DIVISION AND OTHERS
VERSUS**

BABU UMERKHHA PATHAN

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**Mr.Rahul A. Tambe, Advocate for the
applicants.**

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CORAM : V.L.ACHLIYA,J.

DATE : 25.01.2021

ORAL ORDER :

Heard. Learned counsel for the applicants submits that in connected appeals arising out of the same acquisition, this Court has granted stay to the execution of award subject to deposit of amount to the

extent of 50% of the award passed by the Reference Court within 12 weeks from the date of passing of order.

2. On due consideration of submissions advanced and for the reasons already recorded in the order dated 15.01.2021, the following order is passed :-

ORDER

(i) The applications are allowed in terms of prayer clause "B" in the respective applications subject to deposit of amount to the extent of 50% of the award passed by the Reference Court within 12 weeks from the date of passing of order.

(ii) Failure to deposit the amount within 12 weeks, the interim stay granted stands vacated without further reference to the Court.

(iii) The applications are disposed of in above terms.

**[V.L.ACHLIYA]
JUDGE**