

(1)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**910 CIVIL APPLICATION NO.2207 OF 2021
IN FA/787/2021**

WITH
CA/2209/2021 IN FA/786/2021
WITH
CA/2210/2021 IN FA/788/2021

THE EX. ENGINEER, I.D.S.D. OMERGA AND ORS
VERSUS
GANGARAM UMRAO MANALE

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**912 CIVIL APPLICATION NO.2281 OF 2021
IN FA/780/2021**

WITH
CA/2277/2021 IN FA/783/2021
WITH
CA/2279/2021 IN FA/782/2021
WITH
CA/2285/2021 IN FA/784/2021
WITH
CA/2283/2021 IN FA/781/2021

THE EX. ENGINEER, IRRIGATION DEPARTMENT
STRENGTHENING DIV. OMERGA AND ORS
VERSUS
DATTATRAYA MAHADUAPPA EKUNDE

...

**913 CIVIL APPLICATION NO.2319 OF 2021
IN FA/791/2021**

WITH
CA/2321/2021 IN FA/793/2021
WITH
CA/2324/2021 IN FA/790/2021
WITH
CA/2326/2021 IN FA/789/2021
WITH
CA/2328/2021 IN FA/794/2021
WITH
CA/2330/2021 IN FA/792/2021

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THE EX. ENGINEER, IRRIGATION DEPARTMENT
STRENGTHENING DIV. OMERGA AND ORS
VERSUS
BALAJI DHONDIBA EKUNDE

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**914 CIVIL APPLICATION NO.2570 OF 2021
IN FA/795/2021**

WITH
CA/2562/2021 IN FA/799/2021
WITH
CA/2564/2021 IN FA/797/2021
WITH
CA/2566/2021 IN FA/798/2021
WITH
CA/2568/2021 IN FA/800/2021

THE EX. ENGINEER, I.D.S.D. OMERGA AND ORS
VERSUS
GAURIMIYA CHUNNUMIYA DESHMUKH

...

Advocate for Applicants : Mr. Tambe Rahul A.
Mr. LC Patil, Adv. for Respondent

CORAM : SMT.VIBHA KANKANWADI, J.

RESERVED ON : 23/06/2021

PRONOUNCED ON : 01/07/2021

PER COURT :-

1. Heard both sides.

2. The applicants – appellants have preferred these applications seeking stay to the execution of the Awards passed by the Reference Court, which are under challenge in respective appeals, on the grounds and contentions raised in the respective appeals.

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3. It has been pointed out by the learned Advocate for the applicants-appellants (acquiring body) that by a detailed and reasoned order dated 8th February, 2021 passed by this Court in CA No.8737/2020 in FA St.No.21643/2020 (Maharashtra Krishna Valley Development Corporation Ltd. Vs. Sidram Shankar Naikode and Ors.) along with other connected matters, this Court had stayed the Awards passed by the Reference Court subject to deposit 60% of the amount under the Award by the acquiring body and since present group of matters is of the same project, identical order, granting stay may be passed in this group of matters. A copy of the said order is also placed on record.

4. In view of the detailed order passed by this Court in aforesaid matters and for the reasons assigned in the said order, and since present group of matters is of the same project, similar order is required to be passed. Hence, the following order,

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ORDER

1] The applications are allowed.

2] The Awards passed by the Reference Court, which are under challenge in respective appeals, are

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stayed subject to deposit of the amount to the extent of 60% of the Award passed by the Reference Court within a period of 12 weeks from the date of passing of the order. Failure to deposit the amount within stipulated period, the stay granted, would stand vacated automatically, without further reference to the Court unless the time is extended before due date to deposit the amount.

3] The Civil Applications are disposed of in above terms.

(SMT. VIBHA KANKANWADI)
JUDGE

BDV