

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

992 CIVIL APPLICATION NO.2159 OF 2021
IN COMAP/3/2021

THE STATE OF MAHARASHTRA,
THROUGH THE COLLECTOR, OSMANABAD AND OTHERS
VERSUS
M/S JAYKUMAR FULCHAND AJMERA, TRANSPORT CONTRACTORS,
THROUGH ITS PARTNER RAJKUMAR J. AJMERA

...
AGP for Applicants : Mr. S. G. Karlekar.
Advocate for Respondent : Mr. G. K. Naik-Thigle.
...

CORAM : **S. V. GANGAPURWALA &
R. N. LADDHA, JJ.**

DATE : 21st August, 2021.

P.C.:

. Heard the learned Additional Government Pleader for the applicants and Mr. Thigle, learned counsel for non-applicant.

2 According to the learned Additional Government Pleader, the Collector did not have any jurisdiction to agree upon the rate to be paid to the applicants.

3 According to Mr. Thigle, learned counsel, the rate was agreed by the Secretariat and the same is not paid to the applicants. The Trial Court has rightly considered the said aspect.

4 Considering the decree passed and the contentions of the parties, we direct the applicants to deposit 50% of the amount under the judgment and decree within a period of eight weeks from today.

5 In case, the amount as directed is deposited, there shall be stay to the judgment and decree of the Trial Court, pending final disposal of the appeal.

6 Civil applications is disposed of.

[R. N. LADDHA, J.]

[S. V. GANGAPURWALA, J.]

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