

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

**CIVIL APPLICATION NO.5109 OF 2021
IN FAST/18604/2020
WITH
CA/5110/2021 IN FAST/18604/2020**

**THE EXECUTIVE ENGINEER,
MINOR IRRIGATION DIVISION, LATUR
VERSUS
MAHESH DHARMARAJ MOTADE AND ANR**

Mr.S.B.Patil, Advocate for applicant
Mr.V.D.Gunale, Advocate for respondent no.1
Mr.S.N.Kendre, AGP for respondent no.2

**CORAM : R.G. AVACHAT, J.
DATE : SEPTEMBER 08, 2021**

ORDER :-

For the reasons given in the application, the same is allowed in terms of prayer clause (B).

2. In appeal, Issue notice to the respondents, returnable after twelve weeks. Mr.Gunale, learned counsel for respondent no.1 and Mr.Kendre, learned AGP for respondent no.2, waive notice.

3. Call Record and Proceedings.

In Stay Application:

4. Issue notice to the respondents, returnable after twelve weeks. Mr.Gunale, learned counsel for respondent no.1 and Mr.Kendre, learned AGP for respondent no.2, waive notice.

5. For the present, on depositing 75% of the amount under the impugned award within twelve weeks, execution thereof is stayed, till next date.

[R.G. AVACHAT, J.]

KBP