

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

**CIVIL APPLICATION NO.9447 OF 2021
IN FA/5136/2017**

**SUSHMA PANDHARINATH DESHMUKH
VERSUS
THE CHIEF OFFICER, MAHARASHTRA HOUSING AND
AREA DEVELOPMENT, AURANGABAD AND ANOTHER**

...
Advocate for the Applicants : Shri Venjane Tukaram
Advocate for Respondent 1 : Shri Bhushan Virdhe
AGP for Respondent 2 : Shri S.R. Yadav
...

**CORAM : RAVINDRA V. GHUGE
&
S.G. MEHARE, JJ.**

DATE :- 24th September, 2021

Per Court :-

1. By this Civil Application, the applicant/ original claimant prays for an order that the interim relief dated 22.09.2017 granted by this Court in Civil Application No.1794/2017 be vacated. The contention is that on 22.09.2017, this Court had stayed the impugned award on the specific condition that *“the appellant should deposit the entire amount under the award with interest in this Court within a period of 08 weeks from today, failing which, the order granting stay shall*

stand vacated automatically without reference to the Court.”

2. The learned advocates for the non applicants oppose this application.

3. The appellant before the Court concedes that in this appeal, the appellant has not deposited any amount. In our view, as the appellant has not complied with the direction issued by this Court on 22.09.2017, the interim protection granted obviously stands vacated without reference to the Court.

4. This Civil Application is, therefore, disposed off.

kps

(S.G. MEHARE, J.)

(RAVINDRA V. GHUGE, J.)