

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

993. FIRST APPEAL NO. 3300 OF 2017

The Executive Engineer,
Osmanabad Medium Project Division, Osmanabad
VERSUS
Vitthal Babasaheb Waghmode and others

WITH
C.A. No. 2182/2019 in C.A. No. 14542/2016
in F.A. No. 3300/2017

WITH
FIRST APPEAL No 3303/2017

WITH
C.A. No.2179/2019 in C.A. No. 1136/2017
in F.A. No. 3303/2017

WITH
FIRST APPEAL No. 3305/2017

WITH
C.A. No. 2181/2019 in C.A. No. 1138/2017
in F.A. No. 3305/2017

WITH
FIRST APPEAL No. 3306/2017

WITH
C.A. No. 2178/2019 in C.A. No. 1141/2017
in F.A. No. 3306/2017

WITH
FIRST APPEAL No. 3304/2017

WITH
C.A. No. 2180/2019 in C.A. No. 1143/2017
in F.A. No. 3304/2017

Mr. Rahul Tambe, Advocate for appellants
Mr.R.D. Sanap, Asstt. Govt. Pleader for Respt. No.6/State
Mr.K.R. Doke, Adv. h/f Mr. E.S. Murge, Adv. for Respts. No.1 to 5

CORAM : N.J. JAMADAR, J.

DATE : 4th March, 2021

ORDER

1. Not on board. Taken on production board.
2. By order dated 27th February 2017 the appellant was given time to deposit the entire amount in the award alongwith interest accrued thereon, as a condition for stay to the execution and operation of the impugned judgment and award.
3. The learned Counsel for the appellant submits that the appellant could not deposit the amount within the stipulated period. However, the appellant/original respondent No.3, acquiring body, is now in a position to deposit the amount and the cheque is ready for tender. The learned Counsel for the appellant further submits that in view of the developments in the intervening period, including the pandemic, the appellant could not deposit amount within the stipulated period. The learned Counsel for the respondents/claimants submits that he has no objection to allow the applicant/appellant to deposit the amount.
4. In the light of the aforesaid submissions and to advance the interest of justice, the time to deposit the amount of compensation awarded by the Reference Court alongwith the

interest accrued thereon, stands extended till tomorrow.

5. The appellant shall deposit the amount till 5th March 2021.

6. In the event of deposit of the amount by tomorrow, the order of stay passed by this Court on 27th February 2017 shall become operative.

7. All concerned to act on an authenticated copy of the order.

(N.J. JAMADAR)
JUDGE

Madkar