

Trusha T.
Mohite

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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION**

**INTERIM APPLICATION NO.556 OF 2021
IN
FIRST APPEAL (ST.) NO.24974 OF 2019**

The State of Maharashtra (Through
The Special Land Acquisition Officer
and Anr.)

..... Applicants

Vs.

Rajaram Gangaram Gharat since
deceased Thr. Lrs. Lahu
Rajaram Gharat and Ors.

..... Respondents

Mr.A.R.Patil, Additional Government Pleader for the
Applicants

Mr.A.L.Gore for the Respondent nos.1 to 6

Mr.Sanjay Ghaisas for the Respondent no.7

Mr.G.S.Hegde for CIDCO

**CORAM: K.K.TATED &
RIYAZ I. CHAGLA, JJ.**

DATED : MARCH 8, 2021

P.C.

. When the matter was called out, no one appeared on
behalf of Applicant. Hence, Interim Application is dismissed
for non-prosecution.

2. Later on, the learned A.G.P. for the Applicant

appeared. Hence, matter is taken on board again for hearing on its own merits.

3. Heard.

4. By this Interim Application, Applicant State of Maharashtra is seeking extention of time to comply the order dated 12.03.2020 passed by this Court in Civil Application NO.271 of 2020.

5. In the present proceedings, Applicant acquired the Respondent's land and thereafter, passed the award. That was challenged by the Respondents original claimants before the Reference Court being Reference No.682 of 2000. The Reference Court by its judgment and award dated 14.01.2019 awarded compensation in respect of acquired land to the tune of RS.2,18,08,008/-. Thereafter, the Applicant preferred the present First Appeal. This Court by order dated 12.03.2020 in Civil Application No.271 of 2020 directed Applicant to deposit entire amount on or before 01.06.2020.

6. The learned A.G.P. for the Applicant submits that it remained on their part to comply the said order within time. He submits that he received instructions from his client that they are ready and willing to deposit entire amount on or before 12.03.2021. Statement is accepted. In view of these facts, the following order is passed:

a. Applicant is permitted to deposit entire awarded

amount along with interest and cost, if any, in the Reference Court on or before 12.03.2021 as per earlier order dated 12.03.2020 in Civil Application No.271 of 2020.

b. If amount is deposited within time, then interim protection granted by this Court by order dated 12.03.2020 to continue.

c. If amount is not deposited within time, Reference Court can take appropriate steps as per the order dated 11.02.2021 passed in Special Darkhast No.68 of 2019.

d. Claimants are directed to make appropriate Application for withdrawal of the said amount if amount is deposited within time and that will be decided on its own merits.

e. Civil Application stands disposed of accordingly.

f. No order as to costs.

(RIYAZ I. CHAGLA, J.)

(K.K.TATED, J.)