

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

INTERIM APPLICATION NO. 2269 OF 2020

IN

FIRST APPEAL (STAMP) NO. 3241 OF 2020

WITH

INTERIM APPLICATION NO. 2270 OF 2020

IN

FIRST APPEAL (STAMP) NO. 3241 OF 2020

The Executive Engineer, Gunjawani Project	Applicant
<i>Versus</i>	
Avinash Hanumant Kokate & Ors.	Respondents

.....

Mr. D. D. Shinde a/w Mr. Y. G. Thorat for the Applicant.
Mr. A. R. Patil, AGP for Respondent Nos. 2 & 3.
Mr. Gaurav Potnis i/b Pallavi Potnis for Respondent No. 1.

.....

CORAM : SURENDRA P. TAVADE, J.

DATE : 22nd OCTOBER, 2021

P.C.:

INTERIM APPLICATION NO. 2269 OF 2020

. Learned Counsel appearing for Respondent No. 1 has not received copy of the application. Learned Counsel for the Applicant is directed to serve copy of the application for condonation of delay on Respondent No. 1 or Counsel. Stand over to 22nd December, 2021.

INTERIM APPLICATION NO. 2270 OF 2020

1. This is an application for stay to the implementation of the impugned

judgment and award passed in Land Reference No. 490 of 2000 by the District Judge – 19, Pune. It is contended that the acquiring body intend to challenge the judgment and award. The Respondents have no objection if the acquiring body deposits the entire amount of compensation along with interest in the Court. Learned Counsel for the Applicant submits that the acquiring body is ready to deposit the amount of award along with interest.

2. Learned Counsel for the Respondents submits that the liberty may be given to the Respondents to withdraw the said amount. Liberty is granted. Hence I pass the following order:

ORDER

- i) The stay is granted in terms of prayer Clause - “a” with condition that the Applicant to deposit the entire amount of compensation along with interest in the trial Court within six weeks from today, in default the order of stay would be vacated.
- ii) Liberty is granted to the Claimants/Respondents, if they desire to prefer appropriate application for withdrawal of amount and then application will be decided.

[SURENDRA P. TAVADE, J.]