

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

CIVIL APPLICATION NO.3165 OF 2016

FIRST APPEAL NO.610 OF 2021

The State of Maharashtra ... Applicant
V/s.
Atmaram @ Hausa Mahadeo Thakur & Ors. ... Respondents.

Ms.Tanaya Goswami AGP for the Appellant-State.

Mr.Hemant Ghadigaonkar for the Respondents.

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CORAM: MADHAV J. JAMDAR, J.

DATE : 22ND DECEMBER, 2021

P.C:-

1. By separate order dated 22nd December 2021, the Appeal is admitted.
2. By this Civil Application the Applicant is seeking stay of the judgment and award dated 30/10/2015 passed in LAR No.165 of 2002.
3. Ms.Goswami, learned AGP states that the Applicant will deposit the entire decretal amount before the learned trial Court within a period of eight weeks from today. On the deposit of said amount, the operation, execution and implementation of the judgment and award dated 30/10/2015 passed in LAR No.165 of 2002 is stayed till hearing and final disposal of the First Appeal.
4. The Respondents are at liberty to withdraw 50% of the amount after

deposit of the same by the Appellant on the condition that the Undertakings of all the Respondents be filed in this Court to the effect that if ultimately the Appeal is allowed the entire decretal amount will be deposited in this Court along with accrued interest. Such Undertakings to be filed before withdrawal of said amount of 50%.

5. The Respondents are at liberty to file the application for withdrawal of balance 50% of the amount.

[MADHAV J. JAMDAR, J.]