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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 844 OF 2016

WITH

CIVIL APPLICATION NO. 1999 OF 2016 (NOT ON BOARD)

IN

FIRST APPEAL NO. 844 OF 2016

The State of Maharashtra and another

....Appellants

V/s.

Chandrabhaga Narayan Patil

.....Respondents

WITH

INTERIM APPLICATION NO. 583 OF 2021

IN

FIRST APPEAL NO. 844 OF 2016

Chandrabhaga Narayan Patil

....Applicant

IN THE MATTER BETWEEN

The State of Maharashtra and another

....Appellants

V/s.

Chandrabhaga Narayan Patil

.....Respondents

Tanaya Goswami, AGP for the Appellant.

Mr. Sachin S. Punde Advocate for the Respondents.

CORAM : GAURI GODSE, J.

DATE : 30th AUGUST, 2022.

P.C.

1. Heard. Admit.
2. Call for Record and Proceedings. Printing dispensed with. Appellant to file private paper-book within period of 12 weeks from today.

**Civil Application No. 1999 of 2016:
(Not on board. Taken on board.)**

1. This is an Application for stay of the Judgment and Award dated 2nd July 2014. Entire amount as per the Judgment and Award dated 2nd July 2014 passed by learned 2nd Jt. Civil Judge Senior Division, Raigad-Alibag in LAR No. 1159 of 2000 (Old LAR No. 81 of 1998) is deposited in proceedings of Special Darkhast No. 47 of 2014.
2. Since entire amount is already deposited, there shall be interim relief in terms of prayer clause (b).

Interim Application No. 583 of 2021:

1. This Application is filed by original claimant for unconditional withdrawal of entire awarded amount. There is no affidavit-in-reply filed opposing this Application. Acquisition is of the year 1997.
2. Considering the submissions made in the Application for withdrawal of the amount, it will be in the interest of justice to allow the Applicant-claimant to withdraw 50% of the awarded amount on furnishing usual undertaking stating that entire withdrawn amount will be brought back with prevailing rate of interest in the event First Appeal succeeds. On furnishing such undertaking, claimant is permitted to withdraw 50% of the entire awarded amount. Remaining 50% of the awarded amount will be invested in any nationalized bank and shall remain invested till further orders passed by this Court.
3. Both Civil Applications are disposed of in the above terms.

[GAURI GODSE, J.]