

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

**902 CIVIL APPLICATION NO.1930 OF 2023
IN ARBA/29/2022**

NATIONAL HIGHWAYS AUTHORITY OF INDIA THR AJAY R YADAV
VERSUS

AJAY PANDHARINATH AHIRRAO AND ORS

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Advocate for Applicants in both the applications :
Mr. Deepak S. Manorkar

AGP for Respondent - State in both the applications :
Mr. S.N. Morampalle

Advocate for Respondent No.1 in both the applications: Mr. I.K. Wagh
H/s. Mr. K.M. More

Advocate for Respondent No.2 in CA No.11903 of 2022 :
Mr. R.R. Bangar

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WITH CA/11903/2022 IN ARBA/29/2022

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CORAM : SHARMILA U. DESHMUKH, J.

DATE : 14-02-2023

PER COURT :

1. By Civil Application No.1930 of 2023, the applicant - appellant seeks extension of time to deposit the amount of compensation directed as per the order of this Court dated 03.10.2022 and also the continuation of the order of stay.

2. By order dated 20.08.2022 passed in Arbitration Appeal No. 29 of 2022, this Court has stayed the impugned judgment and order subject to appellant depositing 50% of the amount awarded by

the impugned order. By the order dated 03.10.2022, the period was extended by eight weeks and a conditional order was passed that on failure to deposit the amount, the interim relief shall stand automatically vacated. The period of eight weeks expired on 20.11.2022. By way of the present Civil Application, the applicant seeks permission to deposit the amount of compensation.

3. The learned counsel for the applicant submits that a required cheque has already been issued and the same will be deposited with the Registry during the course of the day.

4. The learned counsel for the respondent no.1 opposes this application.

5. Considering the facts of the case and the previous orders passed by this Court, the Civil Application No.1930 of 2023 stands allowed. The applicant is permitted to deposit the amount of compensation.

6. Considering that the applicant - appellant is ready for compliance today itself, the applicant is permitted to deposit the amount of compensation which has been calculated as per the chart which is annexed at page - 12 of the Civil Application No.1930 of

2023.

7. Pursuant to the amount being deposited, the stay which was granted by the order dated 20.08.2022 in Civil Application No.11903 of 2022 to continue.

(SHARMILA U. DESHMUKH, J.)

GGP