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Uday S. Jagtap

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

**INTERIM APPLICATION NO. 13779 OF 2023
IN
FIRST APPEAL (ST.) NO. 18285 OF 2023**

Dy. Engineer Central Railway .. Applicant

Vs.

Smt. Suryamala Vasantlal Munot & Ors. .. Respondents

.....

Ms. Leena Patil for the applicant

Mr. Sachin S. Punde for respondent nos.1 to 7

Ms. Tanaya Goswami, AGP for respondent – State

.....

CORAM : PRITHVIRAJ K. CHAVAN, J.

DATED : 1st AUGUST, 2023

P.C.

1. This is an application seeking stay to the execution of the Judgment and Award dated 16.11.2022 passed by the Reference Court in Land Reference No. 1072 of 2000 with interest.

2. Heard learned Counsel for the applicant as well as the respondents.

3. There shall be ad-interim stay to the execution of judgment and award on condition of the applicant depositing the entire

amount of award within 4 weeks before the Reference Court.

4. If the amount is deposited, the original claimant will be entitled to withdraw the amount of compensation, subject to furnishing the security to the satisfaction of the Reference Court. Reference Court shall grant opportunity of being heard to the applicant before accepting the security.

5. In the event, the security is not furnished by the original claimant within a period of 4 weeks from the date on which the amount is deposited, the same shall be invested in Fixed Deposit of the Nationalized Bank, which shall be renewed till the disposal of the appeal.

6. Upon depositing the amount with the accrued interest, the Reference Court shall invest the entire amount in Fixed Deposit in any Nationalized Bank initially for a period of one year and shall continue to deposit thereafter subject to the orders of this Court.

7. The application is disposed of in the aforesaid terms.

(PRITHVIRAJ K. CHAVAN, J.)