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Uday S. Jagtap

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

**INTERIM APPLICATION NO. 13782 OF 2023
IN
FIRST APPEAL (ST.) NO. 18295 OF 2023
WITH
FIRST APPEAL (ST.) NO. 18295 OF 2023**

Union of India

.. Applicant

Vs.

Surekha @ Kamalabai Vishnu Mali & Ors.

.. Respondents

.....

Ms. Leena Patil for the applicant

Mr. Sachin S. Punde for respondent nos.1 to 14

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 15.12.2021 passed by the Reference Court in Land Reference No. 420 of 2019 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.)