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

**INTERIM APPLICATION NO.30582 OF 2022
IN
WRIT PETITION NO.7191 OF 2003**

Chandrakant Raghunath Yerlekar
deceased through legal heir
Chandrakala Chandrakant Yerlekar
since deceased through legal heir
Prasad Chandrakant Yerlekar ...Applicant
Versus
Libania Joseph Dias ...Respondent

Mr. Rudresh Jagdale, i/b. Rohit Mangsule, for the Applicant.

Mr. P. B. Shah, for the Respondent.

**CORAM : MADHAV J. JAMDAR, J.
DATED : 7th JANUARY 2023**

P.C. :

1. Leave to amend to correct the date of order in prayer clause (i) as 17th December 2022 instead of 19th December 2022.
2. This Interim Application is taken out to stay the order dated 17th December 2022 passed in Execution Application No.369 of 2019 for stay of the execution and seeking permission to deposit the amount of arrears before the learned

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Trial Court. The arrears of compensation are at the rate of Rs.500/- per month commencing from 1st May 2017 till date in terms of order dated 16th August 2010 and 29th July 2015.

3. Heard Mr. Rudresh Jagdale, learned counsel for the Applicant and Mr. Shah, learned counsel appearing for the Respondents.

4. Perused the application and reply.

5. For the reasons set out in the Interim Application, the same is allowed in terms of prayer clauses (i), (ii) and (iii) on the condition to deposit cost of Rs.15,000/- and the entire arrears to be deposited in the Trial Court within a period of one week from today.

6. It is clarified that if the said cost and the said arrears are not deposited within one week from today, then the stay granted by this Court will be automatically vacated without further reference to the Court.

7. As the Writ Petition is of the year 2003, the same is peremptorily fixed for final hearing on 20th January 2023.

[MADHAV J. JAMDAR, J.]