

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION NO.1023 OF 2022

IN

FIRST APPEAL NO.703 OF 2022

(Maharashtra Jivan Pradhikaran Vs. Ghanshyam Hardas Suryawanshi (dead) thr. L.R's. & ors.)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri D.M. Kakani, Advocate for the appellant.
Shri R.D. Hajare, Advocate for respondent Nos.1(A) to 1(I).
Ms T. Udeshi, AGP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.

DATED :- FEBRUARY 20, 2023.

Heard.

2. By preferring this application, the appellant is seeking stay to the effect, operation and execution of the judgment and decree passed by the Civil Judge, Senior Division, Yavatmal in LAC No.172/2009 dated 15/01/2016.

3. As per the contention of the appellant, the Reference Court has awarded the compensation which is excessive and exorbitant one, and therefore, the appellant has challenged the said award. The appellant prayed for the stay to the execution.

4. Learned Counsel for respondent Nos.1(A) to 1(I) objected for the same.

5. Learned Assistant Government Pleader for the State has no objection.

6. Considering the reasons mentioned in the application, on depositing the entire amount of compensation along with accrued interest within 10 weeks, the execution, operation and implementation of the impugned judgment and award be stayed till final disposal of the appeal. On failure to deposit the amount as noted above, the stay granted will be vacated automatically without further reference to the Court.

7. Civil application is disposed of.

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2. Call for R. & P.

3. The appellant to file private paper book within eight weeks after receipt of R. & P.

4. Place the matter after paper book is filed.

(URMILA JOSHI-PHALKE, J.)

**Divya*