

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAF) NO.2471 OF 2022

IN
FIRST APPEAL NO.482 OF 2022

Executive Engineer, Lower Wardha Project anal Division, Wardha Tah. and
Dist. Wardha

Vs.

Gajanan Devrao Talwekar and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Ms. Mallika Babhulkar, Advocate h/f Mr. M. A. Kadu, Advocate for applicant.
Mr. K. J. Topale, Advocate for non-applicant No.1.
Mr. K. L. Dharmadhikari, AGP for non-applicant Nos.2 and 3.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 13/03/2023

1. By this application, the applicant is seeking stay to the effect, operation and execution of the impugned Judgment and Award dated 16.08.2021 passed by the 6th Joint Civil Judge, Senior Division, Wardha in Land Acquisition No.94/2016.

2. Learned Advocate Ms. Babhulkar holding for Mr. M. A. Kadu, learned Advocate for the applicant submitted that principal amount is already deposited before the Reference Court. On depositing the remaining amount of interest including the statutory benefits within eight weeks, the effect, operation and execution of the impugned Judgment and Award dated 16.08.2021 passed by the 6th Joint Civil Judge, Senior Division,

Wardha in Land Acquisition No.94/2016 be stayed still disposal of the appeal.

3. On failure to deposit the amount within above said period, the stay granted will be vacated automatically without further reference to the Court.

4. Civil Application No.2471/2022 is disposed of.

First Appeal No.482/2022

1. Admit.

2. Learned Advocate Mr. K. J. Topale, waives notice for respondent No.1.

3. Learned AGP Mr. K. L. Dharmadhikari, waives notice for respondent Nos.2 and 3.

4. Call for record and proceedings.

5. The appellant to file paper book within eight weeks, after receipt of the record and proceedings.

6. Place the matter after filing of the paper book for final hearing as per its own turn.

(URMILA JOSHI-PHALKE, J.)