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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**46 CIVIL APPLICATION NO. 2349 OF 2024
IN FAST/2383/2024**

THE EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION
....Applicant

VERSUS

THE STATE OF MAHARASHTRA THROUGH COLLECTOR AND
ORS
.....Respondents

Mr. V. D. Patnurkar, Advocate for the applicant
Mr. G. O. Wattamwar, AGP for the respondents/State

CORAM : KISHORE C. SANT, J.

DATE : 08th JULY, 2024

P. C.

1. Heard the parties.
2. This application is for stay to the impugned judgment and award 07-10-2021 passed by the learned CJSD, Jalna in LAR No. 182/2017 by learned CJSD, Jalna.
3. Learned advocate for the applicant vehemently argued that in this case amount is exorbitantly enhanced by the

learned reference court without properly appreciating the evidence on record. SLAO had granted rate @ Rs. 1,87,000/- per H whereas learned reference court has awarded rate @ Rs.9,26,558/- per H which is more than four times. He thus prayed for stay to the impugned award.

4. However, considering the same enhancement is about five times, this court is inclined to pass the following order:-

ORDER

a] The application is allowed in terms of prayer clause-B subject to depositing of the entire amount of compensation in this court alongwith interest within a period of twelve weeks.

b] With this, application stands disposed off.

[KISHORE C. SANT, J.]