



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

**46 CIVIL APPLICATION NO. 11105 OF 2024
IN FAST/27729/2024**

THE EXECUTIVE ENGINEER IRRIGATION PROJECT STRENGTHENING
DIVISION AT OMERGA DIST OSMANABAD
VERSUS
SUGRIV SADASHIV KHANDALKAR AND ORS

AND
**CIVIL APPLICATION NO. 11106 OF 2024
IN FAST/27729/2024**

THE EXECUTIVE ENGINEER IRRIGATION PROJECT STRENGTHENING
DIVISION AT OMERGA DIST OSMANABAD
VERSUS
SUGRIV SADASHIV KHANDALKAR AND ORS

...
Advocate for Applicant : Mr. Rahul Ashokrao Tambe.
AGP for Respondent/State : Mr. V. S. Badakh.
Advocate for Respondents : Mr. L. C. Patil.
...

CORAM : **KISHORE C. SANT, J.**

DATE : 17th October, 2024.

P.C.:

. Heard the learned counsel for the parties.

2 Issue notice to the respondents. Mr. L. C. Patil, learned counsel
waives notice on behalf of respondent Nos.1 and 2. The learned AGP
waives notice on behalf of respondent Nos.3 and 4.

Application for condonation of delay:

3 For the reasons stated in the application, the delay stands

condoned. The application stands allowed. Appeal be registered.

Stay application:

4 The learned counsel for applicant submits that the stay be granted only on deposit of 25% of the amount as the enhancement in compensation is from Rs.610/- to Rs.15,000/-, which is exorbitant and more than 20-22 times. He submits that even in other appeals, he has already filed applications seeking modification of this conditions in the stay order. However, earlier this Court by order dated 7th January, 2021 passed in Civil Application No.219 of 2021 has directed to stay on deposit of 100% amount. This Court is also inclined to grant stay only on depositing 100% amount. In view of the above, there shall be stay to the impugned judgment and award subject to depositing of entire amount as per the impugned judgment and award in the office of this Court within a period of twelve weeks from today.

[KISHORE C. SANT, J.]

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