



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

**919 CIVIL APPLICATION NO. 351 OF 2024
IN FAST/31189/2023 WITH
CIVIL APPLICATION NO. 352 OF 2024**

**THE EX. ENGINEER, L.M.I.D. LATUR UNDER G.M.I.D.C
AURANGABAD AND ANR**

VERSUS

ABHAY CHINUBHAI SHAH

....

Mr. B. R. Survase, Advocate for Applicants

Ms S. A. Kale, Advocate h/f Mr. A.B.Kale, Advocate for Respondent

....

CORAM : S. G. MEHARE, J.

DATE : 27 FEBRUARY 2024

PER COURT :-

1. Issue notice to the respondents.
2. The learned Counsel Ms S. A. Kale has instructions to appear for respondent. The appellant/applicant to furnish the copy to the learned Counsel.
3. The learned Counsel for the applicant submits that the valuation of the property was done without notice to the appellant. He has incorrectly valuated the property and the Reference Court has received that evidence incorrectly.

4. The learned Counsel for the respondent seeks time to take instructions. Time granted.

5. Considering the grounds of the appeal, there shall be an interim stay to the execution and implementation of the impugned judgment and award on the condition to deposit 100% compensation amount as per the impugned judgment and decree with this Court within eight weeks from today.

6. If the compensation amount is not deposited within eight weeks, the stay will be vacated automatically.

7. There shall be no extension of time to deposit the compensation amount.

8. Stand over to 26.04.2024.

[S. G. MEHARE, J.]

SMS