

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

940 CIVIL APPLICATION NO. 2873 OF 2024
IN FA/379/2021

Bhangi Puna Vanjari

VERSUS

Tapi Irrigation Development Corporation Jalgaon Thr The Ex. Engineer,
M.i.w Div. Jalgaon And Ors

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Mr. Vijay Bhalerao Patil - Advocate for Applicant
Mr. V. K. Kotecha - AGP for Respondent Nos. 2 and 3 / State
Mr. Sandesh R. Patil – Advocate for Respondent No. 1

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WITH

CIVIL APPLICATION NO. 2875 OF 2024 IN FA/381/2021
CIVIL APPLICATION NO. 2876 OF 2024 IN FA/380/2021
CIVIL APPLICATION NO. 1620 OF 2024 IN FA/382/2021
CIVIL APPLICATION NO. 1617 OF 2024 IN FA/381/2021
CIVIL APPLICATION NO. 2877 OF 2024 IN FA/382/2021
CIVIL APPLICATION NO. 3714 OF 2021 IN FA/382/2021
CIVIL APPLICATION NO. 3709 OF 2021 IN FA/380/2021
CIVIL APPLICATION NO. 3712 OF 2021 IN FA/381/2021
CIVIL APPLICATION NO. 3705 OF 2021 IN FA/379/2021
CIVIL APPLICATION NO. 1618 OF 2024 IN FA/380/2021
CIVIL APPLICATION NO. 1619 OF 2024 IN FA/379/2021

...

CORAM : R. G. AVACHAT
AND
NEERAJ P. DHOTE, JJ.

DATED : 16TH AUGUST, 2024

PER COURT : -

1. Learned advocate for the Acquiring Body seeks time to deposit 40% of the amount awarded by the learned Reference Court, as directed by this Court vide order dated 17th March, 2021, which reads as

under : -

- “ Heard Ms Chaitali Choudhary-Kutti, learned Counsel for the appellant and Mr V.B. Patil, learned Counsel, who has entered appearance for respondent no.1/claimant.
2. Let this First Appeal be admitted. Original record be called for.
3. After hearing learned Counsel for the parties and on going through the judgment and award dated 08-07-2020, passed in L.A.R. No.34 of 2011, we direct stay of execution of the same, subject to appellant depositing 40% of the awarded amount of compensation in the Registry of this Court within twelve weeks from today, failing which the stay order would automatically stand vacated. Upon such deposit being made, it would be open to respondent no.1/claimant to seek release of the deposited amount upon due verification.”

2. It is a matter of record that, Respondent No. 2 sought time on many occasions to comply with the aforesaid order, however, it has failed to do so.

3. It is informed by the learned advocate for the Applicants/Claimants that, in similar matters, the Acquiring Body has deposited the entire amount.

4. In view of the above, the Claimants are at liberty to take steps for executing the Award before the appropriate Court.

[NEERAJ P. DHOTE]
JUDGE

[R. G. AVACHAT]
JUDGE

SG Punde