



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.10412 OF 2024
IN
FIRST APPEAL (ST) NO.15977 OF 2024

Union Of India, M/S. Central
Railway Thr.Dy.Chief Engineer
(Construction), Raigad

...Applicant

Versus

Bhau Malhari Bhoir
deceased thr. Heir And Ors.

...Respondents

Adv. N. R. Prajapati for the Applicant.
Adv. Sachin Punde for the Respondents.

Coram : Sharmila U. Deshmukh, J.

Date : August 23, 2024.

P. C. :

1. Interim Application has been preferred seeking stay of execution of judgment and award dated 29th August, 2023 passed by the Ld. Civil Judge, Senior Division, Raigad-Alibaug in Land Reference No. 272 of 2021.
2. Learned counsel for the Applicant submits that the entire decretal amount along with accrued interest will be deposited in the Reference Court within a period of four weeks from today.
3. As the decretal amount along with accrued interest is being deposited, there shall be stay to the execution of the judgment and award dated 29th August, 2023.

4. Upon the amount deposited by the applicant, the original claimant will be entitled to withdraw the amount of compensation subject to furnishing of Solvent Surety / Bank Guarantee to the satisfaction of the Reference Court. The Reference Court shall grant opportunity of hearing to all the parties before accepting the Solvent Surety / Bank Guarantee.

5. In event the application for withdrawal of compensation is not made by the claimant within a period of three months, then the amount deposited by the applicant shall be invested by the Reference Court in Fixed Deposit in any Nationalised Bank initially for a period of one year and thereafter renew the same subject to the orders of this Court.

6. The Application is allowed in the above terms.

[Sharmila U. Deshmukh, J.]